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LEGISLATIVE HISTORY

Public Law 251--78th Congress

Chapter 87--2d Session

H. R. 4166

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DIGEST OF PUBLIC LAW 251

FARM BANKRUPTCY ACT AMENDMENTS. Extends for an additional 2 years from March 4, 1944 the time within which petitions may be filed under the Farm Bankruptcy Act. Amends the Act by providing for appointment of not over 20 conciliation commissioners in each judicial district in lieu of the present provision for one or more commissioners for each county having at least 500 farmers. Removes the requirement that the conciliation commissioner must be qualified to be a referee in bankruptcy. Increases the terms of conciliation commissioner from 1 year to 2 years. And increases from $10 to $25 the fee to be paid on filing a petition under the Act.

Index and Summary of History on H. R. 4166

February 7, 1944	H. R. 4138 introduced by Rep. Lemke and referred to the House Committee on the Judiciary.
February 10, 1944	H. R. 4166 introduced by Rep. Lemke and referred to the House Committee on the Judiciary. Print of the bill as introduced.
February 15, 1944	House Committee reported H. R. 4166 without amendment. House Report 1127. Print of the bill as reported.
February 23, 1944	House Rules Committee submitted H. Res. 449 for the consideration of H. R. 4166.
February 24, 1944	Discussed in House. Bill to be in order Feb. 29, 1944.
February 29, 1944	Debated and passed House with amendments.
March 1, 1944	Speech of Rep. Murray in appendix.
March 3, 1944	Discussed and passed Senate without amendment. Print of the bill as passed by the Senate.
March 11, 1944	Approved. Public Law 251.

78TH CONGRESS
2D SESSION

H. R. 4138

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 1944

Mr. LEMKE introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 75 (b) and 75 (c) of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, is amended to read as follows:

"75. (b) Upon filing of any petition by a farmer under this section there shall be paid a fee of $25 to be transmitted to the clerk of the court and covered into the Treasury. The

conciliation commissioner shall receive as compensation for his services, a fee of $25 for each case submitted to him, to be paid out of the Treasury when the conciliation commissioner completes the duties assigned to him by the court. A supervising conciliation commissioner shall receive, as compensation for his services, a per diem allowance to be fixed by the court, in an amount not in excess of $10 per day, together with subsistence and travel expenses in accordance with the law applicable to officers of the Department of Justice. Such compensation and expenses shall be paid out of the Treasury. If the creditors at any time desire supervision over the farming operations of a farmer, the cost of such supervision shall be borne by such creditors or by the farmer, as may be agreed upon by them, but in no instance shall the farmer be required to pay more than one-half of the cost of such supervision. Nothing contained in this section shall prevent a conciliation commissioner who supervises such farming operations from receiving such compensation therefor as may be so agreed upon. No fees, costs, or other charges shall be charged or taxed to any farmer or his creditors by any conciliation commissioner or with respect to any proceeding under this section, except as hereinbefore in this section provided. The conciliation commissioner may accept and avail himself of office space, equipment, and assistance furnished him by other Federal officials, or by any State, county, or

other public officials. The Supreme Court is authorized to make such general orders as it may find necessary properly to govern the administration of the office of conciliation commissioner and proceedings under this section; but any district court of the United States may, for good cause shown and in the interests of justice, permit any such general order to be waived.

"75. (c) At any time prior to March 4, 1948, a petition may be filed by any farmer, stating that the farmer is insolvent or unable to meet his debts as they mature, and that it is desirable to effect a composition or an extension of time to pay his debts. The petition or answer of the farmer shall be accompanied by his schedules. The petition and answer shall be filed with the court, but shall, on request of the farmer or creditor, be received by the conciliation commissioner for the county in which the farmer resides and promptly transmitted by him to the clerk of the court for filing. If any such petition is filed, an order of adjudication shall not be entered except as provided hereinafter in this section.

78TH CONGRESS
2D SESSION

H. R. 4138

A BILL

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

By Mr. LEMKE

FEBRUARY 7, 1944

Referred to the Committee on the Judiciary

period for Office of the Administrator; to the Committee on the Civil Service.

1186. A letter from the Secretary of War, transmitting a report showing the name, age, legal residence, rank, branch of the service, with special qualification therefor, of each person commissioned in the Army of the United States without prior commissioned military service, for the period December 1, 1943, through January 31, 1944; to the Committee on Military Affairs.

1187. A letter from the Administrator, National Housing Agency, transmitting copies of the requests for personnel needs during the third quarter of fiscal 1944 as placed before the Bureau of the Budget on January 1; to the Committee on the Civil Service.

1188. A letter from the Chairman, Federal Trade Commission, transmitting a supplement to the report entitled "Distribution Methods and Costs, Part I—Important Food Products," submitted on November 11, 1943; to the Committee on Interstate and Foreign Commerce.

1189. A letter from the Acting Secretary of the Interior, transmitting the financial statement of the Bonnevilie administrator for the fiscal year ended June 30, 1943, made under the provisions of section 9 (c) of the Bonneville Act (Public, No. 329, 75th Cong., approved August 20, 1937); to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Resolution 346. Resolution providing for an investigation of the program for the planting of guayule to serve as a domestic source of crude rubber; without amendment (Rept. No. 1113). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 433. Resolution providing for the consideration of H. R. 4103, a bill to provide for loss of United States nationality under certain circumstances; without amendment (Rept. No. 1114). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 434. Resolution providing for the consideration of H. R. 3209, a bill authorizing the construction and operation of demonstration plants to produce synthetic liquid fuels from coal and other substances, in order to aid the prosecution of the war, to conserve and increase the oil resources of the Nation, and for other purposes; without amendment (Rept. No. 1115). Referred to the House Calendar.

Mr. CRAVENS: Committee on the Judiciary. House Joint Resolution 230. Joint resolution to limit the operation of sections 109 and 203 of the Criminal Code, and sections 306, 314, and 315 of the Revised Statutes, and certain other provisions of law; with amendment (Rept. No. 1117). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANHAM: Committee on Public Buildings and Grounds. S. 1417. An act to authorize the Secretary of the Interior to donate and convey on behalf of the United States, to Jack Henry Post, No. 1, of the American Legion, Anchorage, Alaska, the wood-frame building, known as the Telephone and Telegraph Building, located on lots 7 and 8 in block 17, Anchorage townsite; without amendment (Rept. No. 1116). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECKWORTH:

H. R. 4162. A bill to provide for emergency disability compensation for members of the land, naval, or air forces separated from service, pending settlement of their claims by veterans' legislation; to the Committee on World War Veterans' Legislation.

By Mr. BLAND:

H. R. 4163. A bill to amend section 2 of Public Law 17, Seventy-eighth Congress, relating to functions of the War Shipping Administration, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. D'ALESANDRO:

H. R. 4164. A bill to amend the District of Columbia Barber Act; to the Committee on the District of Columbia.

By Mr. HINSHAW:

H. R. 4165. A bill to provide for the appointment of additional cadets at the United States Military Academy and additional midshipmen at the United States Naval Academy from among the sons of officers, soldiers, sailors, and marines who have been awarded the Congressional Medal of Honor; to the Committee on Military Affairs.

By Mr. LEMKE:

H. R. 4166. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. HAGEN:

H. R. 4167. A bill to provide for a 20-percent increase for the duration of the war in the amount of the Federal contributions to the States for old-age assistance and in the amount of Federal old-age and survivors insurance benefits under the Social Security Act; to the Committee on Ways and Means.

By Mr. LANE:

H. R. 4168. A bill to provide for the payment to certain Government employees for accumulated or accrued annual leave due upon their separation from Government service; to the Committee on the Civil Service.

By Mr. McGEHEE:

H. R. 4169. A bill to provide for reimbursement of certain Marine Corps personnel attached to Marine Utility Squadron 152 for personal property lost or damaged as the result of a fire in officers' quarters on February 9, 1943; to the Committee on Claims.

By Mr. MILLER of Connecticut:

H. R. 4170. A bill to supplement the Federal-aid Road Act approved July 11, 1916, as amended and supplemented, to provide for the establishment of an interregional system of highways, and to authorize appropriations for the post-war construction of greatly needed highway facilities in the locations where such facilities are most urgently required and where the conversion from war to peacetime activities will require the cushioning effects of public-works construction; to the Committee on Roads.

By Mr. SMITH of Virginia:

H. Res. 435. Resolution authorizing the printing of additional copies of the Fourth Intermediate Report (H. Rept. No. 1024) of the Select Committee To Investigate Executive Agencies for the use of the committee; to the Committee on Printing.

By Mrs. ROGERS of Massachusetts:

H. Res. 436. Resolution requesting the Secretary of the Interior to furnish the House of Representatives with information relative to the benefits to be derived by the United States from the construction of the proposed Persian pipe line, and for other purposes; to the Committee on Interstate and Foreign Commerce.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to provide for the deportation of alien and inimical Japanese at the conclusion of the present war; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. McGEHEE:

H. R. 4171. A bill for the relief of Lt. (Jr. Gr.) Newt A. Smith, United States Naval Reserve; to the Committee on Claims.

H. R. 4172. A bill to provide for the payment of compensation to certain claimants for the taking by the United States of private fishery rights in Pearl Harbor, Island of Oahu, T. H.; to the Committee on Claims.

H. R. 4173. A bill for the relief of Sgt. Maj. Richard Shaker, United States Marine Corps; to the Committee on Claims.

H. R. 4174. A bill to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of Guy F. Allen, chief disbursing officer; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4808. By Mr. CANFIELD: Resolution of the Passaic County Central Labor Union (American Federation of Labor), Paterson, N. J., protesting against the enactment of a national service law; to the Committee on Military Affairs.

4809. By Mr. CLASON: Resolution adopted by members of the Springfield (Mass.) Zionist District and affiliated organizations on January 31, 1944, favoring the adoption by the Congress of House Resolution 419, and urging the State Department to use its influence with the British Government to take such steps as are necessary to carry out the intent and purpose of the aforesaid resolution; to the Committee on Foreign Affairs.

4810. By Mr. CROSSER: Petition of the National Committee of Americans of Polish Descent of Cleveland, Ohio, protesting against the Russian invasion and her claims to half of Poland; to the Committee on Foreign Affairs.

4811. By Mr. GAVIN: Petition of the Brockway Orient Club and other citizens of Brockway, Pa., protesting against the enactment of House bill 2082 or similar legislation; to the Committee on the Judiciary.

4812. Also, petition of G. T. Doyle and 5,000 other residents of the Twentieth Pennsylvania District and vicinity, protesting against the passage of House bill 2082; to the Committee on the Judiciary.

4813. Also, petition of 2,360 residents of the Twentieth Pennsylvania District and vicinity, protesting against passage of House bill 2082 or similar legislation; to the Committee on the Judiciary.

4814. Also, petition of 1,140 citizens of Twentieth Pennsylvania District and vicinity, protesting against the passage of House bill 2082 or similar legislation; to the Committee on the Judiciary.

4815. By Mr. GILLETTE: Petition of residents of the Fifteenth Congressional District of Pennsylvania, opposing House bill 2082; to the Committee on the Judiciary.

4816. By Mr. GRAHAM: Petition of 9,880 residents of the Twenty-sixth Congressional District of Pennsylvania and vicinity, protesting against the enactment of the Bryson bill (H. R. 2082) or any similar legislation; to the Committee on the Judiciary.

4817. By Mr. J. LEROY JOHNSON: Petition of Fillmore C. Marks and others, urging the abrogation of Great Britain's White Paper to allow the persecuted Jews of Europe to go to Palestine; to the Committee on Foreign Affairs.

4818. By Mr. MERROW: Petition signed by 21 residents of Berlin, N. H., appealing for appropriate action to insure the withdrawal in its entirety of the Palestine White Paper of May 1939, and urging that the gates of Palestine be opened to Jewish immigration, and that Palestine be reconstituted as a Jewish commonwealth, to the end that the Jewish people may be enabled to take its rightful place in the progressive order of mankind; to the Committee on Foreign Affairs.

4819. By Mr. PLOESER: Petition of Russell J. Baumann and 20 petitioners of St. Louis, Mo., protesting against enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4820. Also, petition of William P. Birtley and 19 petitioners of St. Louis, Mo., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4821. Also, petition of H. H. Danglos and 19 petitioners of St. Louis, Mo., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4822. Also, petition of Clara C. Lieber and 19 petitioners of St. Louis, Mo., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4823. Also, petition of Evan J. Van Hook and 19 petitioners of St. Louis, Mo., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4824. Also, petition of Fred J. Hahn and 20 petitioners of St. Louis, Mo., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4825. Also, petition of Ira L. Bretzfeider and 19 petitioners of St. Louis, Mo., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4826. Also, petition of J. M. Alvey and 11 petitioners of St. Louis, Mo., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4827. Also, petition of Thomas E. Creley and 20 petitioners of St. Louis, Mo., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4828. Also, petition of Oliver C. Ludwig and 20 petitioners of St. Louis, Mo., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4829. Also, petition of Angelo C. Mamati and 19 petitioners of St. Louis, Mo., protesting against enactmet of any and all prohibition legislation; to the Committee on the Judiciary.

4830. Also, petition of John Sknski and 19 petitioners of St. Louis, Mo., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4831. By Mr. PRATT: Petition of 691 citizens of Philadelphia, opposing the Bryson prohibition bill; to the Committee on the Judiciary.

4832. By Mr. ROLPH: Resolution of Pile Drivers, Bridge, Wharf, and Dock Builders, Local Union, No. 34, opposing the House bill 3477; to the Committee on Banking and Currency.

4833. Also, resolution of the International Association of Machinists, Lodge 68, San Francisco, Calif., relative to a Federal ballot for all those in the armed forces; to the Committee on Election of President, Vice President, and Representatives in Congress.

4834. Also, resolution of the Pile Drivers, Bridge, Wharf and Dock Builders, Local Union No. 34, San Francisco, Calif., relative to memorializing Congress on the soldiers' vote; to the Committee on Election of President, Vice President, and Representatives in Congress.

4835. By Mr. SCHIFFLER: Petition of John Jasinski, president, Circuit 36 of the Polish Roman Catholic Union of America, representing a membership of 2,500, comprising Brooke, Hancock, Marshall, and Ohio Counties, W. Va., urging the State Department to favor and foster the cause of a righteous adjustment of the integrity of the former pre-war boundaries of Poland; to the Committee on Foreign Affairs.

4836. By Mr. WEISS: Petition of 2,140 petitioners of the Thirtieth Congressional District of Pennsylvania, opposing the passage of House bill 2082; to the Committee on the Judiciary.

4837. By the SPEAKER: Petition of the acting city manager, city of Gladstone, Mich., petitioning consideration of their resolution with reference to the establishment of a veterans' hospital and rehabilitation center in the city of Gladstone; to the Committee on World War Veterans' Legislation.

4838. Also, petition of the executive director, the Philadelphia Council of the American Jewish Congress, petitioning consideration of their resolution with reference to urging enactment of House Resolutions 418 and 419; to the Committee on Foreign Affairs.

78TH CONGRESS
2D SESSION

H. R. 4166

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 1944

Mr. LEMKE introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 75 (a), 75 (b), and 75 (c) of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, is amended to read as follows:

"SEC. 75. (a) Every United States district court of bankruptcy shall appoint not more than twenty persons in any one State to be known as 'conciliation commis-

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sioners'. One such commissioner shall be appointed from each division or for the territory served by the city where terms of court are held. The court shall designate the territorial district of each such commissioner. A conciliation commissioner's term of office shall be four years, but he may be removed by the court if his services are no longer needed or for other cause. No individual shall be eligible to appointment as a conciliation commissioner unless he is a resident of the district, familiar with agricultural conditions therein and not engaged in the farm-mortgage business, the business of financing farmers or transactions in agricultural commodities or the business of marketing or dealing in agricultural commodities or of furnishing agricultural supplies. In each judicial district the court may, if it finds it necessary or desirable, appoint a suitable person as a supervising conciliation commissioner. The supervising conciliation commissioner shall have such supervisory functions under this section as the court may by order specify.

"75. (b) Upon filing of any petition by a farmer under this section there shall be paid a fee of $25 to be transmitted to the clerk of the court and covered into the Treasury. The conciliation commissioner shall receive as compensation for his services a fee of $25 for each case submitted to him, to be paid out of the Treasury when the conciliation commissioner completes the duties assigned to him by the court. A super-

vising conciliation commissioner shall receive, as compensation for his services, a per diem allowance to be fixed by the court, in an amount not in excess of $10 per day, together with subsistence and travel expenses in accordance with the law applicable to officers of the Department of Justice. Such compensation and expenses shall be paid out of the Treasury. If the creditors at any time desire supervision over the farming operations of a farmer, the cost of such supervision shall be borne by such creditors or by the farmer, as may be agreed upon by them, but in no instance shall the farmer be required to pay more than one-half of the cost of such supervision. Nothing contained in this section shall prevent a conciliation commissioner who supervises such farming operations from receiving such compensation therefor as may be so agreed upon. No fees, costs, or other charges shall be charged or taxed to any farmer or his creditors by any conciliation commissioner or with respect to any proceeding under this section, except as hereinbefore in this section provided. The conciliation commissioner may accept and avail himself of office space, equipment, and assistance furnished him by other Federal officials, or by any State, county, or other public officials. The Supreme Court is authorized to make such general orders as it may find necessary properly to govern the administration of the office of conciliation commissioner and proceedings under this section; but any dis-

trict court of the United States may, for good cause shown and in the interests of justice, permit any such general order to be waived.

"75. (c) At any time prior to March 4, 1948, a petition may be filed by any farmer, stating that the farmer is insolvent or unable to meet his debts as they mature, and that it is desirable to effect a composition or an extension of time to pay his debts. The petition or answer of the farmer shall be accompanied by his schedules. The petition and answer shall be filed with the court, but shall, on request of the farmer or creditor, be received by the conciliation commissioner for the county in which the farmer resides and promptly transmitted by him to the clerk of the court for filing. If any such petition is filed, an order of adjudication shall not be entered except as provided hereinafter in this section."

78TH CONGRESS
2D SESSION

H. R. 4166

A BILL

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

By Mr. LEMKE

FEBRUARY 10, 1944
Referred to the Committee on the Judiciary

You do not want your sons and daughters in the fighting lines betrayed behind their backs. You, too, want to do your part to see to it that vigilant guard is kept on the home front.

This dangerous manpower draft bill must be defeated. Free government must continue in this Nation. Eternal vigilance is still the price of liberty in America, and it is our vigilance and the vigilance of our fellow citizens, alone, which can save it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. KNUTSON, for the balance of the week, on account of official business.

To Mr. DREWRY (at the request of Mr. FLANNAGAN), for the balance of the week, on account of the death of a relative.

To Mr. FENTON (at the request of Mr. GRAHAM), indefinitely, on account of serious illness in family.

To Mr. HOLMES (at the request of Mr. MARTIN of Massachusetts), indefinitely, on account of illness in the family.

To Mr. LYNCH (at the request of Mr. BURCHILL of New York), indefinitely, on account of illness.

To Mr. NEWSOME, for the balance of the week, on account of official business in district.

ADJOURNMENT

Mr. PETERSON of Florida. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 13 minutes p. m.) the House adjourned until tomorrow, Wednesday, February 16, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON FOREIGN AFFAIRS

(Tuesday, February 15, 1944)

The Committee on Foreign Affairs will resume public hearings on House Resolution 418 and House Resolution 419, relative to the Jewish national home in Palestine, at 10 a. m., Tuesday, February 15, 1944.

COMMITTEE ON THE POST OFFICE AND POST ROADS

(Tuesday, February 15, 1944)

There will be a meeting of the Committee on the Post Office and Post Roads on Tuesday, February 15, 1944, at 10 a. m. to consider H. R. 2328 and House Joint Resolution 49 (to declare certain papers, pamphlets, books, pictures, and writings nonmailable), and the report of the subcommittee thereon. Hearings will be held.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(Wednesday, February 16, and Thursday, February 17, 1944)

There will be meetings of the Committee on Public Buildings and Grounds at 10 a. m. Wednesday, February 16, and Thursday, February 17, 1944, in the caucus room of the Old House Office Building, for the consideration of postwar planning.

COMMITTEE ON PATENTS

(Thursday, February 24, 1944)

The Committee on Patents will hold a public hearing on Thursday, February 24, 1944, at 10 a. m. to consider H. R. 3264, to amend the patent laws.

SCHEDULE OF HEARINGS ON FLOOD-CONTROL BILL OF 1944, BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943, and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works and the committee plans an adequate backing of sound flood-control projects available following the war.

1. Wednesday, February 16: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers. Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., and proponents and opponents of projects along the Missouri River and tributaries.

2. Thursday, February 17: Continuation of the projects discussed on February 16.

3. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in other regions in the United States.

4. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

5. Wednesday, February 23: Senators and Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

1195. Under clause 2 of rule XXIV a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, Architect of the Capitol, fiscal year 1945, involving an increase of $2,500, in the form of an amendment to the Budget for said fiscal year (H. Doc. No. 422), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SNYDER: Committee on Appropriations. H. R. 4183. A bill making appropriations for the fiscal year ending June 30, 1945, for civil functions administered by the War Department, and for other purposes; without amendment (Rept. No. 1118). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Accounts. House Resolution 439. Resolution to provide for expenses of investigation authorized by House Resolution 408; without amendment (Rept. No. 1119). Referred to the House Calendar.

Mr. PETERSON of Georgia: Committee on Elections No. 3. House Resolution 440. Resolution to dismiss election contest of E. O. Clark, contestant, against Jack Nichols, contestee, Second Congressional District of the State of Oklahoma; without amendment (Rept. No. 1120). Referred to the House Calendar.

Mr. ANGELL: Committee on the Territories. H. R. 3403. A bill to withdraw and restore to their previous status under the control of the Territory of Hawaii certain Hawaiian home lands required for use for airplane landing fields, and to amend sections 202, 203, and 207 of title 2 of the Hawaiian Homes Commission Act, 1920, and for other purposes; with amendment (Rept. No. 1121). Referred to the House Calendar.

Mr. O'CONNOR: Committee on Indian Affairs. H. R. 2650. A bill to add certain lands to the Upper Mississippi River wildlife and fish refuge; with amendment (Rept. No. 1122). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'CONNOR: Committee on Indian Affairs. H. R. 2651. A bill to authorize adjustments of irrigation charges in certain land exchanges within Indian irrigation projects; without amendment (Rept. No. 1123). Referred to the Committee of the Whole House on the state of the Union.

Mr. O'CONNOR: Committee on Indian Affairs. H. R. 2654. A bill to authorize the Secretary of the Interior to adjust debts of individual Indians, associations of Indians, or Indian tribes, and for other purposes; without amendment (Rept. No. 1124). Referred to the Committee of the Whole House on the state of the Union.

Mr. O'CONNOR: Committee on Indian Affairs. H. R. 2655. A bill to reserve certain land on the public domain in Utah for addition to the Kanosh Indian Reservation; without amendment (Rept. No. 1125). Referred to the Committee of the Whole House on the state of the Union.

Mr. SPENCE: Committee on Banking and Currency. H. R. 3956. A bill to amend the Federal Reserve Act, as amended, to provide that the absorption of exchange and collection charges shall not be deemed the payment of interest on deposits; without amendment (Rept. No. 1126). Referred to the Committee of the Whole House on the state of the Union.

Mr. KEFAUVER: Committee on the Judiciary. H. R. 4166. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; without amendment (Rept. No. 1127). Referred to the Committee of the Whole House on the state of the Union.

Mr. PATTON: Committee on Claims. H. R. 3763. A bill to relieve former postal employees who performed postal duties after induction into the military service; without amendment (Rept. No. 1148). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATTON: Committee on Claims. H. R. 272. A bill for the relief of Mrs. Vola Stroud Pokluda; with amendment (Rept. No. 1128). Referred to the Committee of the Whole House.

Mr. ROWAN: Committee on Claims. H. R. 552. A bill for the relief of Winfred Alexander; with amendment (Rept. No. 1129). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 1755. A bill for the relief of Broadus D. Boland; with amendment (Rept. No. 1130). Referred to the Committee of the Whole House.

Mr. PATTON: Committee on Claims. H. R. 2006. A bill for the relief of Mrs. Hagar Simpson, Mrs. Nat Price, Jr., and Griffin Brothers Clinic; without amendment (Rept. No. 1131). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 2008. A bill for the relief of Mrs. Mae Scheidel Mr. Fred Scheidel, Mr. Charles Totten, and Miss Jean Scheidel; with amend-

ment (Rept. No. 1132). Referred to the Committee of the Whole House.

Mr. PATTON: Committee on Claims. H. R. 2303. A bill for the relief of O. W. James; with amendment (Rept. No. 1133). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 2453. A bill for the relief of Margaret J. Pow; with amendment (Rept. No. 1134). Referred to the Committee of the Whole House.

Mr. RAMEY: Committee on Claims. H. R. 2497. A bill for the relief of Daniel Baker Co., of Manchester, Ky.; without amendment (Rept. No. 1135). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 2648. A bill for the relief of Avid Evers; with amendment (Rept. No. 1136). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 2689. A bill for the relief of Pete Paluck; with amendment (Rept. No. 1137). Referred to the Committee of the Whole House.

Mr. FERNANDEZ: Committee on Claims. H. R. 2736. A bill for the relief of E. Sullivan; with amendment (Rept. No. 1138). Referred to the Committee of the Whole House.

Mr. ROWAN: Committee on Claims. H. R. 2769. A bill for the relief of Mrs. Lillian W. Timmerman, mother of Ann Timmerman, a minor, deceased; with amendment (Rept. No. 1139). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 2855. A bill for the relief of the estate of John Buby; with amendment (Rept. No. 1140). Referred to the Committee of the Whole House.

Mr. GOODWIN: Committee on Claims. H. R. 3102. A bill for the relief of Mrs. Eva M. Delisle; with amendment (Rept. No. 1141). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 3126. A bill for the relief of Mary Ellen Frakes, widow of Joseph A. Frakes; with amendment (Rept. No. 1142). Referred to the Committee of the Whole House.

Mr. ROWAN: Committee on Claims. H. R. 3190. A bill for the relief of Ben Grunstein; with amendment (Rept. No. 1143). Referred to the Committee of the Whole House.

Mr. PATTON: Committee on Claims. H. R. 3496. A bill for the relief of Ernest A. Grottke; with amendment (Rept. No. 1144). Referrd to the Committee of the Whole House.

Mr. RAMEY: Committee on Claims. H. R. 3596. A bill conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Zephyr Aircraft Corporation against the United States; without amendment (Rept. No. 1145). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 3674. A bill for the relief of William E. Widby; without amendment (Rept. No. 1146). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 3737. A bill for the relief of M. H. Harris; without amendment (Rept. No. 1147). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOREN:

H. R. 4184. A bill to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic; to the Committee on Interstate and Foreign Commerce.

H. R. 4185. A bill to facilitate the various Federal agricultural programs by providing for the consolidation of their local offices; to the Committee on Agriculture.

By Mr. O'CONNOR:

H. R. 4186. A bill to authorize the sale and conveyance of certain property of the estate of Jackson Barnett, deceased Creek Indian; to the Committee on Indian Affairs.

H. R. 4187. A bill for the relief of the Eastern and Western Cherokee Indians of Oklahoma, and for other purposes; to the Committee on Indian Affairs.

By Mr. SIKES:

H. R. 4188. A bill to amend the Railroad Retirement Act to provide annuities for individuals who are totally and permanently disabled and have completed 15 years of service; to the Committee on Interstate and Foreign Commerce.

By Mr. SUMNERS of Texas:

H. R. 4189. A bill to carry out obligations of the United States under article 27 of the Geneva Convention relating to compensation for certain injuries to interned workers, and for other purposes; to the Committee on the Judiciary.

By Mr. COCHRAN:

H. R. 4190. A bill to provide for determination of claims for benefits under the laws administered by the Veterans' Administration with respect to persons discharged from the armed forces because of disability, prior to the granting of such discharge, and for other purposes; to the Committee on World War Veterans' Legislation.

H. R. 4191. A bill to further amend the Servicemen's Dependents Allowance Act of 1942, as amended, so as to provide for the relief of certain widows, children, and other dependents of servicemen who die as a result of injury or disease incurred in or aggravated by military or naval service, and for other purposes; to the Committee on Military Affairs.

By Mr. VINSON of Georgia:

H. R. 4192. A bill establishing a naval oil-shale development board and authorizing the construction, maintenance, and operation of a plant to produce oil for naval use from the naval oil-shale reserves; to the Committee on Naval Affairs.

By Mr. GAVIN:

H. R. 4193. A bill to amend the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved June 28, 1938, as amended; to the Committee on Flood Control.

By Mr. FLANNAGAN:

H. J. Res. 234. Joint resolution to amend the Agricultural Adjustment Act of 1938, as amended, for the purpose of further regulating interstate and foreign commerce in tobacco, and for other purposes; to the Committee on Agriculture.

By Mr. JARMAN:

H. Con. Res. 67. Concurrent resolution authorizing the printing of additional copies of House Document No. 379, current session, being a message from the President of the United States transmitting a report of the National Interregional Highway Committee outlining and recommending a national system of interregional highways; to the Committee on Printing.

By Mr. EDWIN ARTHUR HALL:

H. Res. 441. Resolution directing Congress to find ways and means of establishing more facilities for the building of synthetic rubber; to the Committee on Banking and Currency.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to enact legislation providing mustering-out pay for veterans discharged from the armed forces and to provide a master plan for veterans' welfare and unification and coordination of agencies and services administering veterans' benefits; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States as to the responsibilities and prerogatives of the States and the Federal Government in providing for absentee soldier voting in time of war; to the Committee on Election of President, Vice President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H. R. 4194. A bill for the relief of Mrs. Florence V. Magee; to the Committee on Claims.

H. R. 4195. A bill for the relief of John W. Magee; to the Committee on Claims.

By Mr. DWORSHAK:

H. R. 4196. A bill for the relief of George Williams; to the Committee on Claims.

By Mr. FULMER:

H. R. 4197. A bill For the relief of Mrs. Ada Mae Cushman; to the Committee on Claims.

By Mr. GERLACH:

H. R. 4198. A bill for the relief of the Allentown Airport Corporation; to the Committee on Claims.

By Mr. MAY:

H. R. 4199. A bill granting a pension to Lillie Patrick; to the Committee on Invalid Pensions

By Mr. SOMERS of New York:

H. R. 4200. A bill for the relief of William Weber; to the Committee on Claims.

By Mr. VINCENT of Kentucky:

H. R. 4201. A bill for the relief of Conrad Newman; to the Committee on Claims.

By Mr. VURSELL:

H. R. 4202. A bill for the relief of Lawson Land; to the Committee on Claims.

By Mr. WENE:

H. R. 4203. A bill for the relief of Herschel W. Carlisle; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4857. By Mr. CANFIELD: Resolutions adopted by 33 organizations of Paterson, N. J., urging that appropriate action be taken to insure the withdrawal in its entirety of the Palestine white paper of 1939 and establish a Jewish national home in Palestine; to the Committee on Foreign Affairs.

4858. Also, petition of the Carpenters' Local Union 1939 of Clifton, N. J., protesting against the enactment of the proposed national service law; to the Committee on Military Affairs.

4859. By Mr. FORAND: Petition appealing to the Government of the United States to take all appropriate actions to insure the withdrawal in its entirety of the Palestine white paper of May 1939 with its unjustifiable restrictions on immigration and land settlement, and urging that the gates of Palestine be opened wide to Jewish immigration, and that Palestine be reconstituted as a Jewish commonwealth, to the end that the Jewish people may be enabled to take their rightful place in the progressive order of mankind, which they pray may issue from this struggle; to the Committee on Foreign Affairs.

4860. Also, petition appealing to the Government of the United States to take all appropriate actions to insure the withdrawal

78TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 1127

AMENDING THE BANKRUPTCY ACT (FARM MORTGAGE MORATORIUM)

FEBRUARY 15, 1944.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. KEFAUVER, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 4166]

The Committee on the Judiciary, to whom was referred the bill (H. R. 4166) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The principal purpose of the bill is to extend for an additional period of 4 years the time within which petitions may be filed under the farm-mortgage-moratorium law. An extension of the law was made in 1940 for a period of 4 years (Public Law 423, 76th Cong., approved Mar. 4, 1940).

GENERAL STATEMENT

Section 75 of the National Bankruptcy Act was enacted into law in 1933. It was designed to relieve distressed farmers who were in default in their farm mortgages and to relieve agriculture from the effects of the deflation in land values resulting from the depression. Subsection (s) of the act was enacted in 1934. It permitted a scaling of secured debts and an extension of same by agreement. Failing agreement, it gave to the farmer an absolute stay, the right of retention of the mortgaged property during the stay period, and permission to repurchase the property at an appraised value. By its terms the act expired on March 3, 1938. Subsection (s) of the act was declared unconstitutional by the Supreme Court in 1935, and the law was amended to overcome the objections pointed out in the decision of the case of *Louisville Joint Stock Land Bank* v. *Radford* (295 U. S. 555). Subsection (s) was reenacted in amended form in the Seventy-fourth

Congress. The Supreme Court in the case of *Wright* v. *Vinton Branch Bank* (300 U. S. 440), decided March 29, 1937, declared the amended subsection (s) to be constitutional. In 1938 the Congress amended the act (1) by providing for the reinstatement of cases arising under the act which had been dismissed on the erroneous assumption or holding that subsection (s) was unconstitutional, and (2) by modifying the provisions of the act affecting the time and the amount of payment of compensation to conciliation commissioners. At the same time Congress extended the act until March 4, 1940.

CASES UNDER THE ACT

From statistics furnished the committee by the Administrative Office of the United States Courts, in the fiscal year 1943, extending from July 1, 1942, to June 30, 1943, 892 cases were filed under section 75 of the Bankruptcy Act, and 1,451 were terminated, and the number of cases pending was reduced from 4,680 at the beginning of the year to 4,121 at the close. Of the 892 cases filed, 471 were filed in the district of North Dakota, and the only other districts in which 20 or more cases were filed were the western district of North Carolina with 20, the eastern district of Missouri with 36, the northern district of California with 21, and the southern district of California with 33.

The number of cases filed in the first half of the current fiscal year, extending from July 1 to December 31, 1943, was 172. If the same rate is continued throughout the year, the number filed will be 344, as compared with 892 in the previous year, or less than half. The number of cases terminated in the first half of the present fiscal year was 547, as compared with 172 filed, so that the number of cases pending on July 1, 1943, of 4,121, was reduced to 3,746 on December 31, 1943.

In the first half of the current year the only districts in which 10 or more cases were filed were the districts of North Dakota with 90, and the southern district of California with 12. In many districts no cases were filed. If the rate of filing in the district of North Dakota for the first half of the current fiscal year continues throughout the second half, the number of cases filed in that district in the year will be 180, as compared with 471 in the previous fiscal year, a decrease of more than half.

While the statistics set forth demonstrate a very sharp decline in the use of the statute, it is still of substantial benefit in some localities and may be of greater benefit after the war. Proponents of the legislation have urged upon the committee the desirability of making the law a permanent one but the committee maintains the position which it has heretofore taken that it should not recommend the act be made a permanent part of the bankruptcy statute. The committee gave consideration to the fact of our engagement in war and the thought that the existing law may be of further use and benefit, and therefore recommends an extension of the law for a 4-year period.

PROVISIONS OF THE BILL

Subsection (a) of section 75 has to do with conciliation commissioners, who administer the law. Present law requires the appointment of a conciliation commissioner for every county having 500 farmers, according to the latest census. It requires that an individual,

in order to be eligible for appointment as a conciliation commissioner must be qualified to be a referee in bankruptcy. This means that he must, first, be a member in good standing of the bar of the district court of the United States in which he is appointed; second, that he shall not hold any office of profit or emolument under the laws of the United States or of any State, other than commissioner of deeds, justice of the peace, master in chancery, or notary public; and third, that he be not a relative of any of the judges of the courts of bankruptcy or of the justices or judges of the appellate courts of the district wherein he is appointed. It is required further that he be a resident of the county familiar with agricultural conditions therein and that he be not engaged in the farm-mortgage business, the business of financing farms, or transactions in agricultural commodities, or the business of marketing or dealing in agricultural commodities, or furnishing agricultural supplies.

It has been found impossible in many instances to execute this section of the present law because in some agricultural counties there can be found no person at all who meets all the qualifications of those specified, and in many others there can be found no qualified person who is willing to undertake the arduous and lengthy labor required of a conciliation commissioner for the small compensation allowed by the law of $25 per case.

In the Seventy-seventh Congress the House passed a bill with respect to appointment of conciliation commissioners (H. R. 7356) in an effort to improve the conditions, however, no action was taken on the measure in the Senate.

Under the provisions of the present bill the district courts may appoint not more than 20 persons in any one State to be known as conciliation commissioners. Obviously in many districts where there are no cases under this section of the law there will be no persons appointed. Present law, as stated above, provides for the appointment of one or more conciliation commissioners for every county having 500 or more farmers. The term of the commissioner is increased from 1 year to 4 years. He may, however, as under present law, be removed by the court if his services are no longer needed, or for other cause. The requirement that a conciliation commissioner have the qualifications of a referee in bankruptcy has been eliminated in order that the court will not be too strictly limited in its selection of the best immediately available person to serve.

Subsection (b) changes the law to require the farmer upon filing a petition to pay a fee of $25 in lieu of $10 as at present. The entire $25 fee to the conciliation commissioner will thereby be paid by the farmer filing a petition.

The per diem allowance to supervising conciliation commissioners is increased from a present maximum of $5 per day to $10. Following are figures submitted by the Administrative Office of the United States Courts relative to amounts paid to conciliation commissioners:

FISCAL YEAR 1942

Fees paid to conciliation commissioners	$40, 990. 00
Compensation paid to supervising conciliation commissioners	30, 654. 75
Expenses of supervising conciliation commissioners	4, 721. 28
Total	76, 366. 03

FISCAL YEAR 1943

Fees paid to conciliation commissioners	$28, 996. 00
Compensation paid to supervising conciliation commissioners	31, 049. 60
Expenses of supervising conciliation commissioners	3, 493. 08
Total	63, 538. 68
Less amount received by Government from $10 fee paid by persons filing petitions	14, 510. 00
Net cost to Government of section 75 cases terminated in fiscal year 1943	49, 028. 68
Number of cases terminated in fiscal year 1943	1, 451
Cost per case	$33. 78

Subsection (c) is the present law except that the date has been extended from March 4, 1944, to March 4, 1948.

CHANGES IN EXISTING LAW

In compliance with clause 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

"SEC. 75. (a) [Within thirty days after June 7, 1934, every court of bankruptcy of which the jurisdiction or territory includes a county or counties having an agricultural population (according to the last available United States census) of five hundred or more farmers] *Every United States district court of bankruptcy* shall appoint *not more than twenty persons in any one State* [one or more referees] to be known as 'conciliation commissioners,' [one such conciliation commissioner to be appointed for each county having an agricultural population of five hundred or more farmers according to said census: *Provided further*, That where any county in any such district contains a smaller number of farmers according to said census, for the purposes of this paragraph such county shall be included with one or more adjacent counties where the population of the counties so combined includes five hundred or more farmers, according to said census. In case more than one conciliation commissioner is appointed for a county, each commissioner shall act separately and shall have such territorial jurisdiction within the county as the court shall specify.] *One such commissioner shall be appointed from each division or for the territory served by the city where terms of court are held. The court shall designate the territorial district of each such commissioner. A conciliation commissioner's term of office shall be four years, but he may be removed by the court if his services are no longer needed or for other cause.* [A conciliation commissioner shall have a term of office of one year and may be removed by the court if his services are no longer needed or for other cause.] No individual shall be eligible to appointment as a conciliation commissioner unless he [is eligible for appointment as a referee and in addition] is a resident of the [county] *district*, familiar with agricultural conditions therein and not engaged in the farm-mortgage business, the business of financing farmers or transactions in agricultural commodities or the business of marketing or dealing in agricultural commodities or of furnishing agricultural supplies. In each judicial district the court may, if it finds it necessary or desirable, appoint a suitable person as a supervising conciliation commissioner. The supervising conciliation commissioner shall have such supervisory functions under this section as the court may by order specify.

"(b) Upon filing of any petition by a farmer under this section there shall be paid a fee of [$10,] *$25* to be transmitted to the clerk of the court and covered into the Treasury. The conciliation commissioner shall receive as compensation for his services, a fee of $25 for each case submitted to him [when a composition or extension proposal has been effected and confirmed, or $10 in each case submitted to him in which there is no confirmation,] to be paid out of the Treasury [upon final disposition of each case] *when the conciliation commissioner completes the duties assigned to him by the court.* A supervising conciliation commissioner shall receive, as compensation for his services, a per diem allowance to

be fixed by the court, in an amount not in excess of [$5] *$10* per day, together with subsistence and travel expenses in accordance with the law applicable to officers of the Department of Justice. Such compensation and expenses shall be paid out of the Treasury. If the creditors at any time desire supervision over the farming operations of a farmer, the cost of such supervision shall be borne by such creditors or by the farmer, as may be agreed upon by them, but in no instance shall the farmer be required to pay more than one-half of the cost of such supervision. Nothing contained in this section shall prevent a conciliation commissioner who supervises such farming operations from receiving such compensation therefor as may be so agreed upon. No fees, costs, or other charges shall be charged or taxed to any farmer or his creditors by any conciliation commissioner or with respect to any proceeding under this section, except as hereinbefore in this section provided. The conciliation commissioner may accept and avail himself of office space, equipment, and assistance furnished him by other Federal officials, or by any State, county, or other public officials. The Supreme Court is authorized to make such general orders as it may find necessary properly to govern the administration of the office of conciliation commissioner and proceedings under this section; but any district court of the United States may, for good cause shown and in the interests of justice, permit any such general order to be waived.

"(c) At any time prior to March 4, [1944] *1948*, a petition may be filed by any farmer, stating that the farmer is insolvent or unable to meet his debts as they mature, and that it is desirable to effect a composition or an extension of time to pay his debts. The petition or answer of the farmer shall be accompanied by his schedules. The petition and answer shall be filed with the court, but shall, on request of the farmer or creditor, be received by the concilation commissioner for the county in which the farmer resides and promptly transmitted by him to the clerk of the court for filing. If any such petition is filed, an order of adjudication shall not be entered except as provided hereinafter in this section."

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Union Calendar No. 377

78TH CONGRESS
2D SESSION

H. R. 4166

[Report No. 1127]

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 1944

Mr. LEMKE introduced the following bill; which was referred to the Committee on the Judiciary

FEBRUARY 15, 1944

Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

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A BILL

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 75 (a), 75 (b), and 75 (c) of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, is amended to read as follows:

"SEC. 75. (a) Every United States district court of bankruptcy shall appoint not more than twenty persons in any one State to be known as 'conciliation commis-

sioners'. One such commissioner shall be appointed from each division or for the territory served by the city where terms of court are held. The court shall designate the territorial district of each such commissioner. A conciliation commissioner's term of office shall be four years, but he may be removed by the court if his services are no longer needed or for other cause. No individual shall be eligible to appointment as a conciliation commissioner unless he is a resident of the district, familiar with agricultural conditions therein and not engaged in the farm-mortgage business, the business of financing farmers or transactions in agricultural commodities or the business of marketing or dealing in agricultural commodities or of furnishing agricultural supplies. In each judicial district the court may, if it finds it necessary or desirable, appoint a suitable person as a supervising conciliation commissioner. The supervising conciliation commissioner shall have such supervisory functions under this section as the court may by order specify.

"75. (b) Upon filing of any petition by a farmer under this section there shall be paid a fee of $25 to be transmitted to the clerk of the court and covered into the Treasury. The conciliation commissioner shall receive as compensation for his services a fee of $25 for each case submitted to him, to be paid out of the Treasury when the conciliation commissioner completes the duties assigned to him by the court. A super-

vising conciliation commissioner shall receive, as compensation for his services, a per diem allowance to be fixed by the court, in an amount not in excess of $10 per day, together with subsistence and travel expenses in accordance with the law applicable to officers of the Department of Justice. Such compensation and expenses shall be paid out of the Treasury. If the creditors at any time desire supervision over the farming operations of a farmer, the cost of such supervision shall be borne by such creditors or by the farmer, as may be agreed upon by them, but in no instance shall the farmer be required to pay more than one-half of the cost of such supervision. Nothing contained in this section shall prevent a conciliation commissioner who supervises such farming operations from receiving such compensation therefor as may be so agreed upon. No fees, costs, or other charges shall be charged or taxed to any farmer or his creditors by any conciliation commissioner or with respect to any proceeding under this section, except as hereinbefore in this section provided. The conciliation commissioner may accept and avail himself of office space, equipment, and assistance furnished him by other Federal officials, or by any State, county, or other public officials. The Supreme Court is authorized to make such general orders as it may find necessary properly to govern the administration of the office of conciliation commissioner and proceedings under this section; but any dis-

trict court of the United States may, for good cause shown and in the interests of justice, permit any such general order to be waived.

"75. (c) At any time prior to March 4, 1948, a petition may be filed by any farmer, stating that the farmer is insolvent or unable to meet his debts as they mature, and that it is desirable to effect a composition or an extension of time to pay his debts. The petition or answer of the farmer shall be accompanied by his schedules. The petition and answer shall be filed with the court, but shall, on request of the farmer or creditor, be received by the conciliation commissioner for the county in which the farmer resides and promptly transmitted by him to the clerk of the court for filing. If any such petition is filed, an order of adjudication shall not be entered except as provided hereinafter in this section."

Union Calendar No. 377

78TH CONGRESS
2D SESSION

H. R. 4166

[Report No. 1127]

A BILL

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

By Mr. LEMKE

FEBRUARY 10, 1944

Referred to the Committee on the Judiciary

FEBRUARY 15, 1944

Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

one-hundredths feet north and sixteen thousand one hundred and twenty-eight and one one-hundredth feet west, thence running by true azimuths measured clockwise from south;

(1) Sixty degrees twenty-five minutes eight hundred and forty-one and seventy-four one-hundredths feet along the remainders of fifty-foot road and lot 170 of the Hawaiian Homes land;

(2) One hundred and eighty degrees fifty-six minutes thirty seconds eight hundred and twelve and sixty-two one-hundredths feet along the remainder of lot 170 of the Hawaiian Homes land;

(3) Two hundred and forty degrees twenty-five minutes eight hundred and forty-one and seventy-four one-hundredths feet along the remainders of lot 170, Pine Avenue, lot 158 and fifty-foot road of the Hawaiian Homes land, to the west side of the present Molokai Airport; and

(4) No degrees fifty-six minutes thirty seconds eight hundred and twelve and sixty-two one-hundredths feet along the west side of the present Molokai Airport to the point of beginning.

On the island of Hawaii: Those portions of Keaukaha, tract 1, being additions to the Hilo airplane landing field, comprising several parcels of land as follows:

Parcel 1. Land situated at Keaukaha, tract 1, Waiakea, South Hilo, island of Hawaii, Territory of Hawaii, being portions of lots 96, 97, 182, 183, 184, 185, Desha Avenue, and 25-foot alley, of the Keaukaha residence lots, as shown on Government Survey Registered Maps 2723 and 3017, on file in the office of the Territorial surveyor at Honolulu.

Beginning at the south corner of this piece of land, and on the west boundary of the Hawaiian Homes land, the true azimuth and distance from the northwest corner of the Hilo Airport addition, as shown on Government Survey Registered Maps 2723 and 3017 on file in the office of the territorial surveyor at Honolulu, and on the south side of Kamehameha Avenue, being one hundred and eighty degrees no minutes four hundred and three and thirty-one one hundredths feet, and the coordinates of said point of beginning referred to Government Survey Triangulation Station Halai being two thousand five hundred and twenty and thirty-one one-hundredths feet north and fifteen thousand five hundred and fifty-three one-hundredths feet east, thence running by azimuths measured clockwise from true south:

1. One hundred and eighty degrees no minutes six hundred and fifteen and ninety-five one-hundredths feet along Government land and tract A of grant deeded by Territory of Hawaii to Hilo Railroad Co.;

2. Three hundred and ten degrees forty-two minutes four hundred and one and sixty-six one-hundredths feet along the remainders of Desha Avenue, lots 96, 97, 25-foot alley, and lot 182 of the Keaukaha residence lots; and

3. Forty degrees forty-two minutes four hundred and sixty-six and ninety-seven one-hundredths feet along the remainders of lots 182, 183, 184, 185, and Desha Avenue of the Keaukaha residence lots to the point of beginning, and containing an area of two and one hundred and fifty-five one-thousandths acres, more or less.

Parcel 2 Land situated on the south side of Kamehameha Avenue, at Keaukaha, tract 1, Waiakea, South Hilo, island of Hawaii, Territory of Hawaii, being all of lots 449 to 486, inclusive, all of lots 546 to 564, inclusive, and portions of Kauhane, Spencer, Pua, and Kamaka Avenues of the Keaukaha residence lots, as shown on Government Survey Registered Maps 2723 and 3017, on file in the office of the Territorial surveyor at Honolulu.

Beginning at the northwest corner of this piece of land, being also the southwest corner of Kamehameha and Kauhane Avenues, the coordinates of said point of beginning referred to Government Survey Triangulation Station Halai being two thousand one hundred and seventeen feet north and sixteen thousand eight hundred and eighty feet east, thence running by azimuths measured clockwise from true south:

1. Two hundred and seventy degrees no minutes two thousand and seventeen and eighty-five one-hundredths feet along the south side of Kamehameha Avenue;

2. Three hundred and sixty degrees no minutes four hundred and fifty feet along lots 448 and 487 of the Keaukaha residence lots;

3. Three hundred and sixty degrees no minutes fifty feet across Kamaka Avenue;

4. Three hundred and sixty degrees no minutes two hundred and twenty-five feet along lot 545 of the Keaukaha residence lots;

5. Ninety degrees no minutes three hundred and ninety-two and forty-eight one-hundredths feet along lots 583, 582, 581, and 580 of the Keaukaha residence lots;

6. Ninety degrees no minutes fifty feet across Pua Avenue;

7. Ninety degrees no minutes eight hundred and one and fifteen one-hundredths feet along lots 579, 578, 577, 576, 575, 574, 573, and 572 of the Keaukaha residence lots;

8. Ninety degrees no minutes fifty feet across Spencer Avenue;

9. Ninety degrees no minutes six hundred and seventy-four and twenty-two one-hundredths feet along lots 571, 570, 569, 568, 567, 566, and 565, of the Keaukaha residence lots;

10. Ninety degrees no minutes fifty feet across Kauhane Avenue; and

11. One hundred and eighty degrees no minutes seven hundred and twenty-five feet along Puuhala Reserve and the present Hilo Airport addition, as shown on Government Survey Registered Maps 2723 and 3017 on file in the office of the Territorial surveyor at Honolulu, to the point of beginning, and containing an area of thirty-three and five hundred and eighty-five one-thousandths acres, more or less.

Parcel 3. As returned to the Commissioner of Public Lands of the Territory of Hawaii by Resolution No. 78 of the Hawaiian Homes Commission, dated May 13, 1942. Land situated at Keaukaha, tract 1, Waiakea, South Hilo island of Hawaii, Territory of Hawaii, being the whole of lots 446, 447, 448, 487, 488, 489, 543, 544, 545, 584, 585, and 586 and portions of lots 581, 582, and 583 and a portion of Kamaka Avenue, of the Keaukaha residence lots, as shown on Government Survey Registered Maps 2723 and 3017, more particularly described as follows:

Beginning at the northeast corner of this piece of land, being also the northeast corner of lot 446 and the southwest corner of Kamehameha and Baker Avenues, the true azimuth and distance from the northwest corner of Hilo Airport addition (of twenty and fifty-four one-hundredths acres and on the south side of Kamehameha Highway), as shown on Government Survey Registered Maps 2723 and 3017, being two hundred and seventy degrees no minutes and three thousand six hundred and eighty-eight and seventy one-hundredths feet, and the coordinates of said point of beginning referred to Government Survey Triangulation Station Halai being two thousand one hundred and seventeen feet north and nineteen thousand one hundred and ninety-two and twenty-three one-hundredths feet east, thence running by azimuths measured clockwise from true south:

1. Three hundred and sixty degrees no minutes four hundred and fifty feet along the west side of Baker Avenue;

2. Three hundred and sixty degrees no minutes fifty feet across Kamaka Avenue;

3. Three hundred and sixty degrees no minutes four hundred and fifty feet along the west side of Baker Avenue;

4. Ninety degrees no minutes two hundred and ninety-four and thirty-eight one-hundredths feet along the north side of Kawika Avenue;

5. One hundred and eighty degrees no minutes one hundred and twelve and fifty one-hundredths feet along lot 583 of the Keaukaha residence lots;

6. On hundred and ten degrees fifty-five minutes three hundred and fifteen and thirteen one-hundredths feet along the remainders of lots 583, 582, and 581 of the Keaukaha residence lots;

7. Two hundred and seventy degrees no minutes two hundred and ninety-four and thirty-six one-hundredths feet along lots 548, 547, and 546 of the Keaukaha residence lots;

8. One hundred and eighty degrees no minutes two hundred and twenty-five feet along lot 546 of the Keaukaha residence lots;

9. One hundred and eighty degrees no minutes fifty feet across Kamaka Avenue;

10. One hundred and eighty degrees no minutes four hundred and fifty feet along lots 486 and 449 of Keaukaha lots to the south side of Kamehameha Avenue; and

11. Two hundred and seventy degrees no minutes two hundred and ninety-four and thirty-eight one-hundredths feet along the south side of Kamehameha Avenue to the point of beginning and containing an area of six and eighty one-hundredths acres.

Parcel 4. As returned to the Commissioner of Public Lands of the Territory of Hawaii by resolution numbered 78 of the Hawaiian Homes Commission, dated May 13, 1942. Land situated at Keaukaha, tract 1, Waiakea, South Hilo, island of Hawaii, Territory of Hawaii, being the whole of lots 93, 94, 95, 98, 99, 100, 101, and 102 and portions of lots 92, 96, 97, and 103 and a portion of Desha Avenue of the Keaukaha residence lots, as shown on Goverment Survey Registered Maps 2723 and 3017, more particularly described as follows:

Beginning at the northwest corner of this piece of land, being also the northwest corner of lot 94 and on the southeast side of twenty-five-foot road, the true azimuth and distance from the northwest corner of Hilo Airport addition (of twenty and fifty-four one-hundredths acres and on the south side of Kamehameha Highway), as shown on Government Survey Registered Maps 2723 and 3017, being one hundred and eighty degrees no minutes one thousand seven hundred and fifty-one and eighty-seven one-hundredths feet, and the coordinates of said point of beginning referred to Government Survey Triangulation Station Halai being three thousand eight hundred and sixty-eight and eighty-seven one-hundredths feet north and fifteen thousand five hundred and three and fifty-three one-hundredths feet east, thence running by azimuths measured clockwise from true south:

1. Two hundred and forty-three degrees fifty minutes one hundred and seventy-seven and ninety-three one-hundredths feet along the southeast side of twenty-five-foot road;

2. Three hundred and thirty-three degrees fifty minutes two hundred and thirty-five and sixty one-hundredths feet along lot 92 of the Keaukaha residence lots;

3. Two hundred and forty-three degrees fifty minutes one hundred feet along the remainder of lot 92 of the Keaukaha residence lots;

4. Three hundred and thirty-three degrees fifty minutes two hundred feet along lot 91 of the Keaukaha residence lots;

5. Three hundred and thirty-three degrees fifty minutes fifty feet across Desha Avenue;

6. Two hundred and forty-three degrees fifty minutes one hundred feet along the southeast side of Desha Avenue;

7. Three hundred and thirty-three degrees fifty minutes two hundred and thirty-five and sixty one-hundredths feet along lot 103 of the Keaukaha residence lots;

8. Two hundred and forty-three degrees fifty minutes one hundred feet along the remainder of lot 103 of the Keaukaha residence lots;

9. Three hundred and thirty-three degrees fifty minutes two hundred feet along the southwest side of Kauhane Avenue;

10. Sixty-three degrees fifty minutes six hundred and eighty-eight and thirty-six one-hundredths feet along the northwest side of twenty-five-foot road;

11. One hundred and thirty degrees forty-two minutes two hundred and eighty-six and seventy-three one-hundredths feet along the remainders of lots 97 and 96 and Desha Avenue of the Keaukaha residence lots; and

12. One hundred and eighty degrees no minutes seven hundred and thirty-two and sixty-one one-hundredths feet along Government land and tract A of grant deed by the Territory of Hawaii to Hilo Railroad Co. to the point of beginning and containing an area of $10^{84}\%_{1000}$ acres.

SEC. 3. That section 207 (1) (a) of the Hawaiian Homes Commission Act, 1920, as amended, be amended to read as follows:

"(a) The Commission is authorized to lease to native Hawaiians the right to use and occupancy of a tract or tracts of Hawaiian Home lands within the following acreage limits per each lessee: (1) Not less than 1 nor more than 40 acres of agricultural lands; or (2) not less than 100 nor more than 500 acres of first-class pastoral lands; or (3) not less than 250 nor more than 1,000 acres of second-class pastoral lands; or (4) not more than 1 acre of any class of land to be used as a residence lot: *Provided, however*, That in the case of any existing lease of a farm lot in the Kalanianaole Settlement on Molokai, a residence lot may exceed 1 acre but shall not exceed 4 acres in area, the location of such area to be selected by the lessee concerned: *Provided further*, That a lease granted to any lessee may include both a residence and an agricultural or pastoral lot, the gross acreage of both lots not to exceed the maximum acreage of either the agricultural or pastoral lot, as the case may be, and as provided for in this section: *And provided further*, That any such detached residence lot shall be located on the same island as the agricultural or pastoral lot concerned, and within a reasonable distance thereof. The Commission is also authorized to grant licenses for terms of not to exceed 21 years in each case, to public-utility companies or corporations as easements for railroads, telephone lines, electric power and light lines, gas mains, and the like."

SEC. 4. That section 207 (1) of the Hawaiian Homes Commission Act, 1920, as amended, be further amended by adding thereto a new subsection to be numbered "(c)" to read as follows:

"(c) The Commission is also authorized, with the approval of the Governor, to grant licenses to the United States for terms not to exceed 5 years, for reservations, roads, and other rights-of-way, water storage and distribution facilities, and practice target ranges: *Provided*, That any such license may be extended from time to time by the Commission, with the approval of the Governor, for additional terms of 3 years: *Provided further*, That any such license shall not restrict the areas required by the Commission in carrying on its duties, nor interfere in any way with the Commission's operation or maintenance activities."

With the following committee amendment:

On page 14, strike out lines 14 to 24 (inclusive) and insert the following:

"(c) (1) The Commission is also authorized to grant licenses to churches, hospitals, public schools, and stores (the latter to be owned by lessees or by organizations formed and controlled by said lessees) for lots within the district in which agricultural lands are leased under the provisions of this section.

"(2) The Commission is also authorized, with the approval of the Governor, to grant licenses to the United States for terms not to exceed 5 years, for reservations, roads, and other rights-of-way, water storage and distribution facilities, and practice target ranges: *Provided*, That any such license may be extended from time to time by the Commission, with the approval of the Governor, for additional terms of 3 years: *Provided further*, That any such license shall not restrict the areas required by the Commission in carrying on its duties, nor interfere in any way with the Commission's operation or maintenance activities."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. FARRINGTON. Mr. Speaker, in the report on the bill just passed an error has been made in describing the contents of one of the sections and I ask unanimous consent to insert in the RECORD at this point a correction of that report.

The SPEAKER pro tempore. Is there objection to the request of the Delegate from Hawaii?

There was no objection.

Mr. FARRINGTON. I wish the record to show at this point that an error appears on page 2 of Report 1121 accompanying H. R. 3403, in describing the contents of section 2 of this bill.

The report reads:

Section 2 of the bill amends section 203 of title 2 of the Hawaiian Homes Commission Act to allow homesteaders on the island of Molokai, in the Kalanianaole Settlement, an additional residence lot not adjoining the agricultural or pastoral lot, provided the residence lot shall not exceed 4 acres, and the gross acreage of both lots is not to exceed the present acreage limitation under the act.

The report should read:

Section 2 of the bill amends section 203 of title 2 of the Hawaiian Homes Commission Act, 1920, as amended, restoring to the jurisdiction of the Territorial government five parcels of land now under the control of the Hawaiian Homes Commission, in order to permit their transfer by executive order of the Governor to the United States for use by the War Department in connection with airfields on Molokai.

Section 3 of the bill amends section 207 (1) (a) of the Hawaiian Homes Commission Act of 1920 to allow homesteaders on the island of Molokai, in the Kalanianaole Settlement, an additional residence lot not adjoining the agricultural or pastoral lot, provided the residence lot shall not exceed 4 acres, and the gross acreage of both lots is not to exceed the present acreage limitation under the act.

The error was inadvertently made in the office of the Delegate in composing the report, and as it involves only a mistake in the designation of the contents of the different sections, is of no serious consequence.

AMENDMENT TO BANKRUPTCY ACT (FARM MORTAGE MORATORIUM)

The Clerk called the next bill, H. R. 4166, to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

Mr. COLE of New York. Mr. Speaker, in view of the fact a rule has been granted on this bill, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. COLE]?

There was no objection.

AMENDMENT TO SECTION 31 OF THE SECURITIES EXCHANGE ACT OF 1934

The Clerk called the next bill, S. 1146, to amend section 31 of the Securities Exchange Act of 1934.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 31 of the Securities Exchange Act of 1934 is amended to read as follows:

"REGISTRATION FEES

"SEC. 31. Every national securities exchange shall pay to the Commission on or before March 15 of each calendar year a registration fee for the privilege of doing business as a national securities exchange during the preceding calendar year or any part thereof. Such fee shall be in an amount equal to one five-hundredtths of 1 percent of the aggregate dollar amount of the sales of securities (other than securitics which are direct obligations of or obligations guaranteed as to principal or interest by the United States or such securities issued or guaranteed by corporations in which the United States has direct or indirect interest as shall be designated for exemption from the provisions of this section by the Secretary of the Treasury) transacted on such national securities exchange during the preceding calendar year and subsequent to its registration as a national securities exchange."

With the following committee amendment:

On page 2, line 6, after the word "has", insert "a" and after the word "or", insert "an."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO ACT APPROVED JUNE 15, 1943, PROVIDING FOR THE TRAINING OF NURSES

The Clerk called the next bill, S. 1633, to amend the act entitled "An act to provide for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies, and war industries, through grants to institutions providing such training, and for other purposes," approved June 15, 1943, so as to provide for the full participation of institutions of the United States in the program for the training of nurses, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies, and war industries, through grants to institutions providing such training, and for other purposes", approved June 15, 1943 (Public Law 74, Seventy-eighth Congress), is amended by

striking out, in section 7 thereof, the words "is authorized to procure and provide insignia" and inserting in lieu thereof the words "is authorized, without regard to section 3709 of the Revised Statutes, to procure and provide uniforms and insignia"; and by adding at the end of such act the following new sections:

"SEC. 11. (a) The head of any department, establishment, or other Federal agency is hereby authorized to request and accept transfers of student nurses, transferable pursuant to subsections (e) and (f) of section 2, to any Federal hospital operated by his agency in the continental United States, exclusive of Alaska, and to provide for the continued training of such student nurses requisite to graduation: *Provided,* That the period of training in no case shall extend beyond the period required for graduation by the institution from which the student nurse was transferred, but may be terminated at any time prior thereto as the interests of the service may require.

"(b) During the period of such training student nurses shall be entitled to a stipend at such uniform monthly rate as may be prescribed by the President, and shall be entitled to (1) travel expenses as authorized by the Subsistence Expense Act of 1926, as amended, including travel incident to their initial transfer and in returning to the location from which transferred upon completion or termination of the period of training; (2) quarters, subsistence, and laundry (including laundering of uniforms) while at Federal hospitals; and (3) necessary medical and hospital care in Federal hospital facilities: *Provided,* That no student nurse receiving a stipend fixed pursuant to this section, shall be entitled to any overtime or additional compensation under the War Overtime Pay Act of 1943. The appropriate appropriations of the agencies concerned are hereby made available for the purposes of this section.

"(c) Should any student nurse so transferred and in training suffer disability or death while in the performance of duty, she or her dependents shall be entitled, under the same conditions and to the same extent, to the benefits which are provided for civil employees of the United States to the Act of September 7, 1916, as amended (39 Stat. 742; 5 U. S. C. 751–793).

"SEC. 12. The Surgeon General shall designate distinctive insignia to be worn by nurses who have been graduated pursuant to training received under this act and who in accordance with their undertaking are engaged in essential civilian nursing services for the duration of the present war. Such insignia and the uniforms and insignia designated by the Surgeon General in accordance with section 2 to be worn by student nurses receiving training and courses under plans approved pursuant to this act, or any distinctive part of such insignia or uniform, or any insignia or uniform any part of which is similar to a distinctive part thereof, shall not be worn by any unauthorized person, under the penalties provided by the Act of June 3, 1916 (39 Stat. 216, as amended; 10 U. S. C. 1393), for the unlawful wearing of the uniform of the United States Army, Navy, or Marine Corps."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF TIME FOR ACQUISITION BY RAILROAD RETIREMENT BOARD OF CERTAIN DATA

The Clerk called the next bill, House Joint Resolution 227, extending the period for the acquisition by the Railroad Retirement Board of data needed in carrying out the provisions of the Railroad Retirement Acts.

There being no objection, the Clerk read the House joint resolution, as follows:

Resolved, etc., That effective June 30, 1943, and notwithstanding any other provision of law, each employer subject to the Railroad Retirement Act of 1937, and each other company, association, or person who is in possession of data required by the Railroad Retirement Board to establish service and compensation prior to January 1, 1937, shall continue after June 30, 1943, to furnish reports with respect to such data to the Railroad Retirement Board currently as completed, and be compensated therefor, under the same terms and conditions and in the same manner as provided in Public Resolution No. 102, Seventy-sixth Congress, third session, and with the same effect as though the data were furnished under that resolution, until such time as all data required have been furnished to the Board, or until such time as the unobligated balance in the special fund established by section 6 of such Public Resolution No. 102, which fund is hereby continued, has been fully obligated, but in no event later than June 30, 1945. Any unobligated balance remaining in the said special fund after all data required have been furnished to the Board or on June 30, 1945, whichever date is the earlier, shall revert to the railroad retirement account.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STOWAWAYS ON AIRCRAFT

The Clerk called the next bill, S. 1386, making it a misdemeanor to stow away on aircraft and providing punishment therefor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any person who, without the consent of the owner, charterer, or person in command of any aircraft and with intent to obtain a ride or transportation in such aircraft in flight, shall board or be within such aircraft scheduled to fly or flying between any State, Territory, or possession, or the District of Columbia, the Canal Zone or any place occupied by, or under the jurisdiction of, the armed forces of the United States and any place outside thereof; or between points within the same State, Territory, or possession, the District of Columbia, the Canal Zone, or any place occupied by, or under the jurisdiction of, any of the armed forces of the United States, but through the air space over any place outside thereof; or wholly within the air space over any Territory, possession, the District of Columbia, the Canal Zone, or any place occupied by, or under the jurisdiction of, the armed forces of the United States shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

SEC. 2. Any person who, without the consent of the United States, its duly authorized officer or agent or the person in command of any aircraft owned or operated by the United States and with intent to obtain a ride or transportation in such aircraft in flight, shall board or be within such aircraft scheduled to fly or in flight shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

SEC. 3. The word "aircraft" means any contrivance now known or hereafter invented, used, or designed for navigation of or flight in the air.

SEC. 4. Nothing contained in this Act shall modify, restrict, alter, or change any law of the United States enacted for the purpose of preventing any person from entering the United States in violation of the laws of the United States or for the purpose of securing the deportation from the United States of any person who, under the laws of the United States, shall be subject to deportation.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMITTING UNITED STATES TO BE MADE PARTY DEFENDANT IN CERTAIN CASES INVOLVING PARTITION OF PROPERTY

The Clerk called the next bill, H. R. 3609, to permit the United States to be made a party defendant in certain cases, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill.

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, this is a very important bill and I would like to call upon the author, the gentleman from Indiana [Mr. SPRINGER] to explain the bill.

Mr. SPRINGER. Mr. Speaker, this bill is an amendment to title 28, section 901, of the United States Code. The original provisions of this act provided that the United States could be made a party defendant only in proceedings to foreclose mortgages and in foreclosure of liens. Approximately 2 years ago this House passed an amendment to that act which provides that in suits to quiet title the United States can be made a party defendant. Since the war began, and due to the acquisition of many rights and claims by the Government, some of the owners of the real estate upon which these claims and rights have been and are asserted have died. Their estates are in process of settlement and there has been no method provided by which the title to real estate and personalty can be cleared. It is highly desirable that the claim or right of the Government may be ascertained and determined in order that estates may be promptly settled.

The pending bill, now before the House, merely extends the right to make the United States a party defendant and to extend that right to make the United States a party defendant in partition proceedings and in petitions or proceedings filed by administrators and executors to sell real estate to pay debts, in order that the title to the real estate may be cleared, the claim of the United States ascertained, thus enabling the estate to be settled promptly and the entire matter concluded and completed.

This bill was reported out of the Judiciary Committee of the House by a unanimous report for its passage.

This legislation is badly needed at this time. In the future years, as we readjust ourselves, following this war, this amendment to existing law will be found to be very helpful. Many attorneys have requested that the amendment, which I have here presented, be passed in order to facilitate the settlement of estates and in order to clear the title to both real estate and personal property.

Mr. Speaker, it is my hope that this measure will be passed without opposition.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to permit the United States to be made a party defendant in certain cases," approved March 4, 1931, as amended (46 Stat. 1528, U. S. C., title 28, sec. 901), be, and the same is hereby, amended to read as follows:

"SECTION 1. Upon the conditions herein prescribed for the protection of the United States, the consent of the United States is given to be named a party in any suit which is now pending or which may hereafter be brought in any United States district court, including those for the districts of Alaska, Hawaii, and Puerto Rico, and the District Court of the United States for the District of Columbia, and in any State court having jurisdiction of the subject matter, to quiet title to or for the foreclosure of a mortgage or other lien upon real estate or personal property, and in all cases where the partition and sale of real estate is sought by any of the owners thereof, and also in all cases wherein an executor or administrator seeks to sell the real estate and/or personal property of any decedent to pay debts, for the purpose of securing an adjudication of any mortgage, claim, lien, or right the United States may have or claim to have on or against the real estate or personal property involved."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEVING FORMER POSTAL EMPLOYEES WHO PERFORMED POSTAL DUTIES AFTER INDUCTION INTO THE MILITARY SERVICE

The Clerk called the next bill, H. R. 3763, to relieve former postal employees who performed postal duties after induction into the military service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of law relating to dual compensation, the Comptroller General of the United States is hereby authorized and directed to allow credit in the settlement of disbursing officers' accounts, and relieve certifying officers of liability, for payments made to postal employees who, after induction into the armed forces of the United States, performed postal duties while on furlough or otherwise relieved of active military duties, of the amounts to which such employees would have been legally entitled had they not been in the armed forces.

SEC. 2. If credit is allowed in disbursing officers' accounts, in accordance with section 1 of this act, the employee receiving the payment shall not be required to refund the amount thereof; and any such amount which has been collected from such employee because improper under dual compensation laws shall be refunded to him, or if deceased, to his legal representative.

SEC. 3. This act shall be applicable only to services rendered prior to January 1, 1943.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. PRIEST. Mr. Speaker, that concludes the call of the bills on the calendar for today.

COOPERATIVE SUSTAINED-YIELD UNIT AGREEMENTS WITH FOREST OWNERS AND OPERATORS

Mr. COLE of New York. Mr. Speaker, when the bill S. 250, Calendar 211, was called, I raised a question for which there was no ready answer by any Member on the floor. Since that time the gentleman from Oregon [Mr. ELLSWORTH] has appeared and is prepared to answer the question. I ask unanimous consent to return to Calendar 211 and that the bill S. 250 may be called up at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. COLE]?

There was no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Reserving the right to object, Mr. Speaker, this bill authorizes the Secretary of Agriculture and the Secretary of the Interior to enter into agreements with private landowners of timber tracts, looking toward a sustained-yield unit operation. The bill provides that the sale of the timber from these tracts shall not be under open and competitive bids, which would permit the Government to sell timber to any person of their own choosing. The question I have to ask is, Why competitive bids are not required for the sale of this timber?

Mr. ELLSWORTH. Mr. Speaker, answering the question of the gentleman from New York, as the gentleman states, the bill would permit the Departments to enter into agreements with private owners of timber for the purpose of establishing what are known as sustained-yield units in the timbered area. These units lie along water courses and in geographical units rather than in any legal units, and in order to promote a sustained-yield policy it is often necessary to include in such units timber privately owned. In order to make a deal for the operation of the unit on a sustained-yield basis, the Government has to enter into contracts with private owners of the timber and in making these agreements agree to sell Government timber.

It is not deemed practical to entertain competitive bidding in such a situation, since the only person who could logically operate the Government-owned timber would be the person with whom the agreement is being negotiated. Therefore, the Departments, the forest industries, and the author of the bill all agree that since competitive bidding is not practical or possible, and since both the Department of the Interior and the Forest Service are well aware of the value of these properties, it is entirely proper to make such agreements on the basis of negotiation.

Mr. COLE of New York. If it is true that the landowner is the only logical person who might buy this timber after it has been cut, then where is any hazard encountered by permitting it to be sold under competitive bidding, if by reason of circumstances he will be the only person who will bid on it?

Mr. ELLSWORTH. I did not make it clear. The agreement is for the purchase of the timber before it is cut. It is an operating agreement. It has nothing to do with the marketing of the product from the land.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from Arizona.

Mr. MURDOCK. Is this bill confined to any one portion of the West or to any national forest area, or is it open to all parts of the country as general legislation?

Mr. ELLSWORTH. It is a bill that affects all of the country where national forests are located. I believe some 36 States have forest areas. The Forest Service may embark upon a sustained-yield plan wherever it deems such a plan advisable.

Mr. MURDOCK. I feel that the measure has great merit.

Mr. CRAVENS. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from Arkansas.

Mr. CRAVENS. Is there anything in this bill that compels the owner of private timber land to enter into any arrangement with the Government?

Mr. ELLSWORTH. No; there is no compulsion whatever. It is purely a voluntary agreement.

Mr. COLE of New York. Mr. Speaker, I withdraw my reservation of objection.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

COMMODITY CREDIT CORPORATION

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 448), which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the House joint resolution (H. J. Res. 239) continuing the Commodity Credit Corporation as an agency of the United States until June 30, 1945. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AMENDMENT OF BANKRUPTCY ACT

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 449), which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the

Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4166) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. FISH. Mr. Speaker, may I ask the gentleman from Illinois if he proposes to bring up either one of these rules tomorrow afternoon?

Mr. SABATH. We are going to try to do so. The majority leader is not here at the moment, and I really do not know. However, I think it is the intention to bring up both of these rules tomorrow, as well as another bill on which a rule has been granted which I hope to file later in the day. That may come up the following day.

Mr. FISH. Both of these will be called up tomorrow, if possible?

Mr. SABATH. Yes.

PERMISSION TO ADDRESS THE HOUSE

Mr. HART. Mr. Speaker, I ask unanimous consent that on Friday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

LOSS OF UNITED STATES NATIONALITY UNDER CERTAIN CIRCUMSTANCES

Mr. DICKSTEIN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4103) to provide for loss of United States nationality under certain circumstances.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4103, with Mr. GORE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. At the time the Committee rose, when this bill was last under consideration, general debate had not been concluded. The gentleman from New York [Mr. DICKSTEIN] has remaining 14 minutes, and the gentleman from Illinois [Mr. MASON] 25 minutes.

Mr. REES of Kansas. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. J. LEROY JOHNSON].

Mr. J. LEROY JOHNSON. Mr. Chairman, the only objection we have to the bill presented by the committee is that it is entirely inadequate to carry out the purpose they say they have in mind. You recall that the committee bill provides that a man may denationalize himself by signing a form prepared by the Attorney General in the presence of an officer designated by him, and if the Attorney General consents to it.

The letter of the Attorney General quoted in the committee report states that he believes this will take care of some 300 to 1,000 persons who are now in relocation camps in the United States. As far as we are concerned, we are not making this a bill aimed particularly at the Japanese or any other racial group. That matter was injected into the problem by the committee and by Mr. Biddle himself, and the report so indicates. However, it is true that there are probably more persons in that group who will be affected than there are in any other group.

Let us see what the problem is. In 1942 a questionnaire was submitted to over 38,000 internees in these camps. Question 28 of that questionnaire was as follows:

> Will you swear unqualified allegiance to the United States of America, and faithfully defend the United States from any or all attack by foreign or domestic forces, and forswear any form of allegiance or obedience to the Japanese Emperor or any other foreign government, power, or organization?

Five thousand three hundred and thirty-three people answered that question in the negative. In other words, they were not willing to swear allegiance to the United States, and they were not willing to forswear allegiance to the Emperor of Japan. One thousand five hundred and fifty-five answered the question in a qualified manner or did not answer it at all. Therefore, we have this situation: We have 6,888 people in these camps who refused to unqualifiedly swear allegiance to the United States. What we say is that that very written act at that time constituted an act of expatriation by the individuals themselves. The theory of our case is this: A man has a natural, inherent right to himself expatriate himself, namely, to himself cast off his citizenship. That was recognized in 1795 in a case before the United States Supreme Court. It has been recognized since that time specifically by act of Congress in 1868. All I am trying to do by the amendment that I shall offer is to provide that any person who in writing during this war, or who by signing a governmental form, shows that he has expatriated himself, to the satisfaction of a nationalization court, shall be deemed to have wiped out his citizenship. It is a fair, reasonable proposition. It simply recognizes the fact that a man may do so, and we are providing a public agency where he will have complete protection of the law, where its particular fact may be heard and given to the world.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. J. LEROY JOHNSON. Yes.

Mr. VOORHIS of California. To ask the gentleman one or two questions. In the first place, the gentleman's amendment will extend the provisions of the committee bill to include any person who during this war period has made a specific statement in writing, or one that can be substantiated by this court.

Mr. J. LEROY JOHNSON. Yes. We do not impair the committee bill at all.

Mr. VOORHIS of California. You do not change the effect of it, or anything that might have happened prior to the war?

Mr. J. LEROY JOHNSON. No.

Mr. VOORHIS of California. In the second place, it would make it possible for this court to determine that a person in the midst of this war had made a statement renouncing his citizenship and to include him within or under the same terms as the committee bill.

Mr. J. LEROY JOHNSON. That is correct.

Mr. BENNETT of Michigan. Mr. Chairman, will the gentleman yield?

Mr. J. LEROY JOHNSON. Yes.

Mr. BENNETT of Michigan. The gentleman's amendment goes further than that, further than an actual statement in writing.

Mr. J. LEROY JOHNSON. Oh, no. We have restricted the amendment to include only writing or a signature on a Government form, and only for the duration of the war.

Mr. BENNETT of Michigan. But the amendment which the gentleman offered the other day went further than that.

Mr. J. LEROY JOHNSON. The gentleman is correct. I changed the amendment to meet the objections to it.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. REES of Kansas. Mr. Chairman, I yield myself 10 minutes. This measure was considered for about half the time allowed last week, and the bill was very ably presented by its author, the gentleman from Louisiana [Mr. ALLEN]. It seems now that the only question before the Committee is whether or not the Committee is to adopt the bill as introduced, or whether it is to give favorable consideration to the amendment to be offered by the distinguished gentleman from California [Mr. J. LEROY JOHNSON]. There are two or three things that ought to be cleared up. One of them is that this is not a deportation bill, not at all. No. 2, it ought to be distinctly understood that this applies to all citizens throughout the United States. The discussion, of course, is around the question of Japanese citizenship, and whether we ought to take citizenship away from natural American-born Japanese, and, if so, how it is to be done, not forgetting that we must act within the confines of the Constitution. The gentleman from Louisiana [Mr. ALLEN] very ably stated, of course, that we are all anxious to deal with the Japanese as we think they should be dealt with under the circumstances of war; but let us not forget that whatever action is taken, this applies to everyone born in the United States or in its Territories. With that in mind we might proceed with a little bit of caution.

The Nationality Code provides means by which a citizen of the United States may expatriate himself or lose his citizenship. When you talk of taking the citizenship away from an American-born

citizen, you are going into not only a difficult, but a most important consideration.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. In a moment. I point out that the loss of citizenship under law under this code, among other things, is taking an oath or making an affirmation or other formal declaration of allegiance to a foreign state, or voting in a political election in a foreign state, or participating in an election or a plebiscite to determine the sovereignty over foreign territory, or making a formal renunciation of nationality before a diplomatic or consular officer of the United States in a foreign state, in such form as may be prescribed by the Secretary of State. Those apply, of course, where the individual is outside the United States.

This particular measure provides the means by which the individual may lose his citizenship, his nationality in the United States, and so this act simply provides that if an American-born citizen chooses to do so, wants to do so, he may sign a statement or a form as required by the Attorney General of the United States, by which he can renounce such citizenship. If he does so, then, of course, he would lose his citizenship. These gentlemen from California have talked about the question of getting rid of the Japanese, We would like to do that. As I understand it, these individuals they talk about are already in a camp that is under control in some form or other, under our military authorities, but in any event, all we can do immediately with any of these individuals would be to put them in concentration camps. That is all that we can do with them for the present, anyway. We are merely taking citizenship away from them, and that is as far as we can go now. You cannot send them back to Japan or Germany or to Italy, or we cannot transport them to the country of their allegiance right now. Perhaps we might not want to do it at the present time, anyway. Very likely, it is safer to leave them right where they are. If these individuals decide that they want to sign such a statement, well and good. The gentleman from California the other day made a plea for an amendment that would take into consideration any individual who makes a statement that somebody somewhere heard, but now it seems that that proposal is to be in writing.

The distinguished gentleman from California, I recall, made a very strong plea for the prosecution of those individuals who may have been heard making statements that would indicate they were not loyal citizens of the United States. Let us not forget this. This amendment is pretty broad. You are going pretty far afield. Of course, they say the provisions of the Constitution against ex post facto legislation does not apply because this may be a civil action and not a criminal action. But I am wondering whether or not, in view of all you want to do, and in spite of all you expect to accomplish by this legislation, I wonder whether or not it is good precedent to pass an act whereby you can go back to a certain date, 1939 or 1940. Why not make it 1939 or whatever date you want to put in there? Anyway, is it not a little better judgment and does it not appeal to you as being a little more common sense if you pass an act that is conditioned to apply after it is passed by Congress and signed by the President, rather than to go back and let it apply to some statement an individual made before the act was passed?

Now the gentleman from California [Mr. VOORHIS], who is one of the able students of the House and one of the Members who is extremely careful with reference to the passage of legislation, comes from the State where this Japanese problem, of course, I know, is terrifically acute. We want to protect the citizens and protect the people of our country. I believe a little while ago he suggested that acts performed before a law is passed, making such act unlawful, is reasonable.

Even though we may be anxious to handle a specific situation, I am wondering about the wisdom of enacting legislation that would reach back and permit citizens to be brought into court, for violation of an act that was not in existence at the time when the alleged violation was committed.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. Mr. Chairman, because I have mentioned the gentleman from California [Mr. VOORHIS] I will be glad for his further expression with regard to that particular. I yield. I want to say, too, that I have the highest respect for his opinion.

Mr. VOORHIS of California. In the first place may I say this, that at least so far as I am personally concerned I am extremely eager that whatever is done about this matter, is not done on a racial basis, but on a basis of loyalty and on the basis of allegiance on the part of the people, whatever their race might be.

Mr. REES of Kansas. I appreciate the gentleman's statement. I agree with him thoroughly.

Mr. VOORHIS of California. In the second place, as I read the amendment which the gentleman from California [Mr. J. LEROY JOHNSON] now presents, it seems to me the one thing that it would include under the provisions of this bill which is not already included in the bill, would be specific statements made as the result of a questionnaire of a Government agency to people in the midst of this war as to which those people answered. I just want to say it seems to me in the present form of this amendment, and I have discussed it with the gentleman from California [Mr. J. LEROY JOHNSON] more than once, I am convinced that the only thing he will include that is not in the committee bill is to make it possible for a court to determine that an individual did actually make a written statement in the past on a Government form, given him by a Government agency, in which he renounced his loyalty to the United States. I believe, and I think I am correctly interpreting it, some of us feel that that was an act on his part of sufficient seriousness under the present circumstances so that it ought to be taken into consideration.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. REES of Kansas. Mr. Chairman, I yield myself 3 additional minutes.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield further?

Mr. REES of Kansas. I yield.

Mr. VOORHIS of California. Some of us feel that that was an act on his part of sufficient seriousness under the present circumstances so that it ought to be able to be taken into consideration by a competent court which can decide whether the evidence is of that character or not in connection with this man.

Mr. REES of Kansas. I appreciate the statement of the gentleman. Of course, we do not have any amendment before us. But I will be glad to take the amendment and examine it. It is far different, of course, from the one we had before us a week ago.

Mr. VOORHIS of California. That is very true; I think it is quite different.

Mr. REES of Kansas. But I am still wondering whether or not it is good policy to pass an act today that would say that the statement made 2 or 3 or 4 years prior to the passage of this act should be used for the prosecution or taking away of the citizenship of an individual.

Mr. BENNETT of Michigan. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Michigan, a very able member of the committee.

Mr. BENNETT of Michigan. It seems to me that the most dangerous part of this amendment is the fact that you have 2,000 naturalization courts in this country. Now I just want to call your attention to the language of the amendment of the gentleman from California:

> Such a formal, written renunciation of nationality or signing a document or form of the United States Government containing such statements or answers as will support a finding of a naturalization court, that such a person has, in fact, denationalized himself by exercising his inherent natural right to divest himself of his nationality.

What that means is this, as I take it, that I can hale into court on my own motion, because this is a civil procedure, any person for any statement that he made in writing on a Government form. This would give me the right, for example, as a citizen, to haul him into any naturalization court of this country, and I might say there are 2,000 of them, and make him accountable in a civil proceeding before that court, for any statement that he made in writing on a Government form or any answer to some questionnaire that the Government had made out—and God knows there are millions of them around the country. It would have no semblance of a formal proceeding. You could have as many of such proceedings as you have people who wanted to bring it. Any time I had an enemy——

Mr. HINSHAW. Oh, no.

Mr. BENNETT of Michigan. Any time I had an enemy who made a statement that I think is derogatory to the

Treasury Department to prepare the blank in a way that can be easily understood. The President knows this and it would appear that, shall I say, again he is not quite frank with the public.

The President's allegation that the pay-as-you-go-tax plan was "not the product of this administration" serves to emphasize how he has been misled by his advisers in framing his veto message. Also he apparently has forgotten his own recommendations on the subject. Let me quote from the hearings before the Ways and Means Committee on the Current Tax Payment Act of 1943. On pages 9 and 10 of the hearings Mr. Randolph Paul, general counsel of the Treasury Department, said:

The problem of putting income taxes on a pay-as-you-go basis was emphasized by President Roosevelt in his recent Budget message in connection with his request to Congress for $16,000,000,000 of additional collections for the fiscal year 1944.

* * * * *

Owing to the great expansion of the individual income tax now taking place in response to war needs, the strengthening of our system of income-tax payment has become a first order of business.

* * * * *

A suitable pay-as-you-go method will be of great assistance to millions of taxpayers.

Thus the Roosevelt administration is squarely on record as favoring the pay-as-you-go system. In fact, it was at its suggestion that it was made the law.

The President makes another misstatement when he infers that the Current Tax Payment Act of 1943 is the Ruml plan. He must know that the Ruml plan was never adopted by Congress due to the unyielding opposition of the White House and the Treasury Department. The plan which was finally adopted for effecting the change to a current collection basis was in accord with the Treasury's recommendation that there be no complete abatement, of the 1942 income-tax assessment, as provided in the Ruml plan. On this point the Treasury stated, at page 22 of the House hearings in 1943:

Another question is whether the transition to current payment should be made by forgiving a year's liability, by paying 2 years' taxes in 1, or by postponing or deferring 1 year's taxes over several years. In the light of the revenue needs of the Government, and the equitable distribution of the tax burden, complete forgiveness seems very undesirable. Complete doubling up would undoubtedly be too harsh for some taxpayers. Accordingly deferment of payment of taxes for the transition year to the extent necessary to relieve such hardships appears to be desirable.

If the Ruml plan had in fact been adopted, there would have been no complications as a result of the transition to a current collection basis, no doubling up of taxes, and no deferment of collection of the 1942 liability. It is due to the administration's opposition to the Ruml plan that a complicated and burdensome pay-as-you-go law was finally adopted. It not only complicated the returns but increased the tax burden of most taxpayers by 12½ percent for 1944 and 1945. If the President had refreshed himself on the history of the Current Tax Payment Act, I am sure he would not have made some of the statements contained in his veto message, or blamed the Congress for the confusion.

So, my friends, it is not the Congress that is to blame for the confusion the President complains of. On the contrary, it is the Treasury Department that is responsible, the President to the contrary notwithstanding.

(Mr. WOODRUFF of Michigan, asked and was given permission to revise and extend his own remarks in the RECORD.)

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a news article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

[The matter referred to appears in the Appendix.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. STARNES of Alabama, for 6 days, on account of official business.

To Mrs. LUCE (at the request of Mr. MARTIN of Massachusetts), indefinitely, on account of illness.

To Mr. CELLER, for remainder of week, on account of death in family.

ENROLLED BILLS SIGNED

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2350. An act to liberalize the service-pension laws relating to veterans of the War with Spain, the Philippine Insurrection, and the China Relief Expedition, and their dependents;

H. R. 3997. An act to amend the Code of the District of Columbia providing for the sale of fish of the shad or herring species, and for other purposes; and

H. R. 4059. An act to amend an act entitled "An act to empower the Commissioners of the District of Columbia to convey land" (approved April 28, 1922).

ADJOURNMENT

Mr. KING. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 45 minutes p. m.) the House adjourned until tomorrow, Thursday, February 24, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PATENTS

(Thursday, February 24, 1944)

The Committee on Patents will hold a public hearing on Thursday, February 24, 1944, at 10 a. m. to consider H. R. 3264, to amend the patent laws.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

(Thursday, February 24, 1944)

The Committee on World War Veterans' Legislation will meet in executive session at 10:30 a. m. Thursday, February 24, 1944.

COMMITTEE ON THE PUBLIC LANDS

(Thursday, February 24, 1944)

The Committee on the Public Lands will continue its hearings on H. R. 1688, a bill relating to the administrative jurisdiction of certain public lands in the State of Oregon, on Thursday, February 24, 1944, at 10:30 a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1218. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 13, 1943, submitting an interim report, together with accompanying papers and an illustration, on a preliminary examination and survey of Loyalhanna Creek at Latrobe, Pa., authorized by the Flood Control Act approved on August 28, 1937 (H. Doc. No. 444); to the Committee on Flood Control and ordered to be printed, with an illustration.

1219. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1943, submitting a report, together with accompanying papers and an illustration, on a review of reports on the St. Johns River, Fla., Jacksonville to Lake Harney, with a view to modifying the existing project between Sanford and Lake Harney, requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on May 20, 1941 (H. Doc. No. 445); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1220. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1943, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of and review of reports on the coasts of the Great Lakes with a view to the establishment of harbors of refuge for light-draft vessels, including Point Lookout Harbor, Mich., Barcelona Harbor, N. Y., Au Sable Harbor, Mich., and Eagle Harbor, Mich., authorized by the River and Harbor Act approved on August 26, 1937; and requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted on March 20, 1936, February 10, 1939, and January 24, 1939; and resolutions of the Committee on Commerce, United States Senate, adopted on April 26, 1937, and December 6, 1938 (H. Doc. No. 446); to the Committee on Rivers and Harbors and ordered to be printed, with 28 illustrations.

1221. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 15, 1944, submitting a partial report, together with accompanying papers and illustrations, on a review of reports on the Arkansas River, Kans., and Ark., Main Stem, and Fourche Bayou, Ark., requested by resolutions of the Committee on Flood Control, House of Representatives, adopted on November 19, 1940, April 23, 1942, and July 2, 1943 (H. Doc. No. 447); to the Committee on Flood Control and ordered to be printed, with eight illustrations.

1222. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 24, 1943, submitting a report, together with accompanying papers on a review of reports on Leland Harbor, Mich., with a view to determining if it is advisable to modify the project in any way at this time, with particular reference to preventing erosion due to wave wash, requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on October 16, 1941; to the Committee on Rivers and Harbors.

1223. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 5, 1944, submitting a report, together with accompanying papers, on a review of report on the Cumberland River, with a view to determining whether flood protection in the vicinity of Lebanon, Tenn., is advisable at the present time, requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on October 4, 1940; to the Committee on Flood Control.

1224. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill, to extend temporarily the time for filing applications for letters patent, and for other purposes; to the Committee on Patents.

1225. A letter from the Archivist of the United States, transmitting report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JARMAN: Committee on Printing. House Resolution 485. Resolution authorizing the printing of additional copies of the Fourth Intermediate Report (H. Rept. No. 1024) of the Select Committee to Investigate executive agencies for the use of the committee; without amendment (Rept. No. 1168). Referred to the House Calendar.

Mr. JARMAN: Committee on Printing. House Concurrent Resolution 67. Concurrent resolution authorizing the printing of additional copies of House Document No. 379, current session, being a message from the President of the United States transmitting a report of the National Interregional Highway Committee outlining and recommending a national system of interregional highways; without amendment (Rept. No. 1169). Referred to the House Calendar.

Mr. JARMAN: Committee on Printing. House Resolution 425. Resolution authorizing the printing of the manuscript entitled "Chronology of Major International Events, With the Ostensible Reasons Advanced for Their Occurrence" as a House document; without amendment (Rept. No. 1170). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 448. Resolution for the consideration of House Joint Resolution 239 continuing the Commodity Credit Corporation as an agency of the United States until July 1, 1945; without amendment (Rept. No. 1171). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 449. Resolution for the consideration of H. R. 4166, a bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, and acts amendatory thereof and supplementary thereto; without amendment (Rept. No. 1172). Referred to the House Calendar.

Mr. SPENCE: Committee on Banking and Currency. House Joint Resolution 239. Joint resolution continuing the Commodity Credit Corporation as an agency of the United States until July 1, 1945; with amendment (Rept. No. 1173). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAAS: Committee on Naval Affairs. S. 1668. An act authorizing appropriations for the United States Navy for additional ship repair facilities, and for other purposes; without amendment (Rept. No. 1187). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 3619. A bill to amend sections 675 and 676 of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, regulating the disposal of dead human bodies in the District of Columbia; without amendment (Rept. No. 1188). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McGEHEE: Committee on Claims. S. 1549. An act for the relief of Vern M. Stanchfield; without amendment (Rept. No. 1174). Referred to the Committee of the Whole House.

Mr. PATTON: Committee on Claims. S. 1563. An act for the relief of W. E. Dowdell and June Dowdell; without amendment (Rept. No. 1175). Referred to the Committee of the Whole House.

Mr. MILLER of Missouri: Committee on Claims. S. 1589. An act for the relief of C. Guy Evans; without amendment (Rept. No. 1176). Referred to the Committee of the Whole House.

Mr. ABERNETHY: Committee on Claims. H. R. 1061. A bill for the relief of the Waldrop Heating & Plumbing Co.; with amendment (Rept. No. 1177). Referred to the Committee of the Whole House.

Mr. GOODWIN: Committee on Claims. H. R. 1635. A bill for the relief of William E. Search, and to the legal guardian of Marion Search, Pauline Search, and Virginia Search; with amendment (Rept. No. 1178). Referred to the Committee of the Whole House.

Mr. ABERNETHY: Committee on Claims. H. R. 1682. A bill for the relief of Edwin H. Taylor, Jr.; with amendment (Rept. No. 1179). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims: H. R. 2288. A bill for the relief of Donald J. Munson; with amendment (Rept. No. 1180). Referred to the Committee of the Whole House.

Mr. MILLER of Missouri: Committee on Claims. H. R. 2405. A bill for the relief of Clarence P. Hale, Jr.; with amendment (Rept. No. 1181). Referred to the Committee of the Whole House.

Mr. MILLER of Missouri: Committee on Claims. H. R. 2408. A bill for the relief of Clarence E. Thompson and Mrs. Virginia Thompson; without amendment (Rept. No. 1182). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. H. R. 2846. A bill for the relief of Mrs. Mildred Ring; without amendment (Rept. No. 1183). Referred to the Committee of the Whole House.

Mr. RAMEY: Committee on Claims. H. R. 3114. A bill for the relief of Ruth Coe; without amendment (Rept. No. 1184). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 3668. A bill for the relief of C. C. Evensen; without amendment (Rept. No. 1185). Referred to the Committee of the Whole House.

Mr. GREEN: Committee on Claims. H. R. 3724. A bill for the relief of Mr. and Mrs. Howard C. Bantin; with amendment (Rept. No. 1186). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RANDOLPH:

H. R. 4250. A bill directing the Secretary of Commerce, through the Administrator of Civil Aeronautics, to make a survey of the need for a system of airports and landing areas throughout the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. BLAND:

H. R. 4251 (by request). A bill to give honorably discharged, disabled, or retired marine employees of the Panama Canal, civil-service preference to extend to them the facilities of the Public Health Service, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. REES of Kansas:

H. R. 4252. A bill creating a Congressional Bureau of Efficiency; to the Committee on Accounts.

By Mr. ROLPH:

H. R. 4253. A bill to aid merchant seamen and to provide for payment of mustering-out pay, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. BLOOM:

H. R. 4254. A bill to extend for 1 year the provisions of an act to promote the defense of the United States, approved March 11, 1941, as amended; to the Committee on Foreign Affairs.

By Mr. BARRY:

H. R. 4255 (by request). A bill empowering the Federal Trade Commission to require advertisers who have been making false claims for their products to inform the public of their misdeeds through publication of the Commission's orders; to the Committee on Interstate and Foreign Commerce.

By Mr. BROOKS:

H. R. 4256 (by request). A bill to provide readjustment insurance for those persons who served in the armed forces of the United States during the present war, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. DICKSTEIN:

H. R. 4257. A bill to expatriate or exclude certain persons for evading military and naval service; to the Committee on Immigration and Naturalization.

By Mr. MONKIEWICZ:

H. R. 4258. A bill to amend section 201 D of the Emergency Price Control Act of 1942, as amended; to the Committee on Banking and Currency.

By Mr. PHILLIPS:

H. R. 4259. A bill to create a Surplus Agricultural Products Corporation and to authorize the disposition of excess Government food stocks and related products, and for other purposes; to the Committee on Banking and Currency.

By Mr. PACE:

H. R. 4260. A bill amending section 32 of the act entitled "An act to amend the Agricultural Adjustment Act, and for other purposes," approved August 24, 1935 (49 Stat. 774), as amended in order to provide for the maintenance and operation of school lunch programs, and for other purposes; to the Committee on Agriculture.

By Mr. RANDOLPH:

H. J. Res. 242. Joint resolution to amend an act entitled "An act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a minimum wage board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes," approved September 19, 1918, as amended; to the Committee on the District of Columbia.

By Mr. VINSON of Georgia:

H. Res. 450. Resolution for the consideration of S. 1668, a bill authorizing appropriations for the United States Navy for additional ship repair facilities, and for other purposes; to the Committee on Rules.

"(d) Any examination of the corporate records shall be made at the place or places where such records are normally kept in the transaction of the corporate business, and the Corporation shall retain custody of contracts, vouchers, schedules, or other financial or accounting documents, either original or duplicate, relating to its nonadministrative transactions."

Mr. KEAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEAN: On page 4, after line 20, insert a new section, to be known as section 4, to read as follows:

"SEC. 4. No funds controlled by or made available to the Commodity Credit Corporation shall be directly or indirectly used by the Commodity Credit Corporation to make any subsidy or other payment, or to pay or absorb losses, on any agricultural commodity or any commodity processed or manufactured in whole or substantial part therefrom, including milk and livestock and the products thereof, either to reduce, or in lieu of increasing, maximum prices established on such commodities under the provisions of the Emergency Price Control Act of 1942, as amended, or Public Law No. 729, approved October 2, 1942: *Provided,* That with respect to any such commodities for which programs involving such payments or losses have been announced on or before February 21, 1944, such programs may be carried out to the extent only that funds are available for such purpose under existing law: *Provided further,* That support prices shall continue to be maintained and announced for any such commodities pursuant to section 4 of Public Law No. 147, approved July 1, 1941, as amended, and loans shall continue to be made pursuant to section 8 of Public Law No. 729, approved October 2, 1942, but any maximum prices heretofore or hereafter established for such commodities shall not be below the support prices therefor or below the prices specified in section 3 of Public Law No. 729, approved October 2, 1942: *Provided further,* That nothing herein shall be construed to prevent the making of parity payments or soil-conservation payments authorized under existing law, or benefits to sugar growers authorized under title III of the Sugar Act of 1937, as amended, or the sale of feed wheat as authorized by existing law."

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. KEAN] in support of the amendment.

Mr. KEAN. Mr. Chairman, the amendment which has just been read sounds complicated but in truth is very simple. It merely provides that subsidy programs which have been already announced by the Commodity Credit Corporation may be continued but that no new consumer subsidy programs may be inaugurated by this Corporation. The rest of the amendment merely reiterates that none of the other programs for the benefit of farm production are in any way affected.

Unlike the bill vetoed by the President, my amendment only refers to those subsidies which are being handled by the Commodity Credit Corporation. Rollbacks on butter, meat, and bread which have been undertaken by the Reconstruction Finance Corporation would not be affected.

Unlike the bill vetoed by the President my amendment in no way affects any subsidy program which has been announced prior to February 21.

A majority of Congress by their votes have shown themselves to be opposed to the subsidy program. Through the sustaining of the President's veto last week the will of this majority was thwarted. The resolution which we are considering if passed without amendment represents a complete retreat by Congress. The door would be left wide open to the further extension of the subsidy program only limited by the funds available.

In a statement to the press a short time ago, the Commodity Credit Corporation announced that it had ample funds available—$1,000,000,000 in fact—while at present the subsidy program of the Commodity Credit Corporation amounts to approximately half a billion. There is plenty of money for new subsidies.

I am frank to say I do not like to compromise in any way, but all legislation is a matter of compromise and in time of war none of us should be too stubborn.

If we pass this bill as presented without amendment some may say that by our action we have sanctified the subsidy program. As far as I am personally concerned, I refuse to allow myself to be maneuvered into this position. Let us not sacrifice principle for expediency.

Mr. DILWEG. Mr. Chairman, will the gentleman yield?

Mr. KEAN. Yes.

Mr. DILWEG. What is the difference between the gentleman's amendment and the one offered by Senator BUSHFIELD in the Senate?

Mr. KEAN. I have not read Senator BUSHFIELD's amendment except as I saw something about it in the newspaper—that he had offered an amendment.

Mr. DILWEG. The Senator offered an amendment exactly the same as that offered by the gentleman from New Jersey except that he rolled the date back to October rather than a February date, and also provided that there should be a winding-up process by July of this year, 1944. That was voted down.

Mr. KEAN. I have not consulted with the Senator and I have no idea what he offered.

[Mr. MONRONEY addressed the Committee. His remarks will appear hereafter in the Appendix.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The amendment was rejected.

Mr. CALVIN D. JOHNSON. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CALVIN D. JOHNSON: After the last word in the bill, insert a new section as follows:

"SEC. 4. No purchase agreement entered into by this agency with any foreign government shall become effective until 30 days after its context has been made known to the Congress."

Mr. SPENCE. Mr. Chairman, I object to the amendment. I make a point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. SPENCE. Mr. Chairman, the amendment is not germane. I am reserving the right to make the point of order. I have no objection to the gentleman addressing the House on his amendment.

Mr. CALVIN D. JOHNSON. Mr. Chairman, my purpose in offering this amendment is not to handicap or cripple the Commodity Credit Corporation, because I make it very clear in the amendment that it would not limit their activities. It would merely make those activities known to the Congress.

I believe that agreements, such as the one entered into with the Government of Peru, in which we agreed to pay them for reducing their cotton acreage, would not exist if the Congress had known of such intended transaction. I believe that the spotlight of publicity, focusing the attention of the Nation on such activities, would forestall their enactment.

Through such agreements we are fast becoming Santa Claus to the entire world. I would say to those who want, through such agreements, to help our neighbors, let us first help ourselves.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. CALVIN D. JOHNSON. I yield.

Mr. BROWN of Georgia. I understand that the gentleman from Oklahoma [Mr. MONRONEY] has consulted the Commodity Credit Corporation relative to this cotton purchase down in South America. I would like to have him deal with that question.

Mr. MONRONEY. Mr. Chairman, I would like to give this information. I talked to Mr. J. B. Hutson, the Director of the Commodity Credit Corporation. There was one deal that was handled early in the war after Pearl Harbor for 40,000 bales of cotton, which were bought from Peru. It was bought to relieve the economy of Peru as the result of a sudden shock of the loss of their foreign markets. The cotton is still in Peru. It has been turned over to the F. E. A., Mr. Crowley's organization. I am informed definitely that the Commodity Credit Corporation will not enter into any foreign agreements for the absorption of any product. They are having two foreign operations both of which have had legislative sanction. One is the sugar-purchase program from offshore and the other is the Canadian wheat imports program for cattle feed. I am a little bit afraid we might, through requiring 30 days' notice, on those two that are now being done, in some way defeat the orderly distribution of emergency feed which is being imported from Canada.

Mr. CALVIN D. JOHNSON. Are we assured by the Commodity Credit Corporation that the agreement which was entered into between the Government of Peru and that agency in April to purchase 200,000 bales of cotton each year, has been set aside?

Mr. MONRONEY. It is my understanding and I had the information directly from Mr. Hutson a few minutes ago, after the gentleman announced it on the floor of the House, that every bit of this work is being done now by the F. E. A., Mr. Crowley's organization, that

is, the Foreign Economic Administration. Now what other agreements there are, I do not know. There is a lot of preclusive buying and a lot of economic warfare going on. I can assure the gentleman that the Commodity Credit Corporation is not going to be used in any of these deals of that kind.

Mr. CALVIN D. JOHNSON. If the gentleman is confident that the Commodity Credit Corporation will not carry on such a policy, the need for this amendment, if he is right, would be nonexistent. We would not need it. But it was with the thought of stopping such activities on the part of the Commodity Credit Corporation or any other agency of government that I introduced this amendment.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. CALVIN D. JOHNSON. I yield.

Mr. CRAWFORD. I do not think any Member of the House is in a position to make a statement that the Commodity Credit Corporation will not in the future participate in such transactions. The Commodity Credit Corporation is an agency of this Government and we have sanctified and legislated and appropriated and put into operation certain machinery; when that machinery acts and directs the Commodity Credit Corporation to proceed to purchase certain commodities as an agency of the United States Government, how are you going to prevent them from doing so? It may be true that at the moment the Foreign Economic Administration, or whatever the agency is, may be performing this particular function, but perhaps next week by Executive order they may be demolished and it might go back to certain other agencies of government. I think that is the point the gentleman is trying to get at.

Mr. CALVIN D. JOHNSON. Yes, the agreement is self-explanatory, according to a letter from the Department of Agriculture, they agree through their agent the Commodity Credit Corporation to purchase 200,000 bales of cotton annually. Such activities at least should be brought to the attention of the Congress. If we are called upon to levy taxes and make appropriations to be spent over the entire world, without any knowledge of where the money is going, I think it is high time we put a stop to such practices.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COURTNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration Senate Joint Resolution 116, continuing the Commodity Credit Corporation as an agency of the United States until June 30, 1945, pursuant to House Joint Resolution 448, and reported the Senate joint resolution back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

So the bill was passed.

A motion to reconsider was laid on the table.

A similar House joint resolution (H. J. Res. 239) was laid on the table.

APPOINTMENT OF FRANK T. HINES AS BRIGADIER GENERAL IN THE ARMY OF THE UNITED STATES

Mr. SPARKMAN, from the Committee on Military Affairs, submitted the following conference report and statement on the bill (S. 872) an act to authorize the President to appoint Frank T. Hines a brigadier general in the Army of the United States, for printing in the RECORD:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 872) to authorize the President to appoint Frank T. Hines a brigadier general in the Army of the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

That the President, by and with the advice and consent of the Senate, is hereby authorized to appoint any former officer of the Regular Army, who, after active military service of more than 15 years, has resigned his commission and who subsequently served for a period of more than fifteen years either as Director of the Veterans' Bureau or as Administrator of Veterans' Affairs, or both, an officer on the active list of the Regular Army in the grade held by him at the time of such resignation and thereafter immediately place him on the retired list of the Army in that grade and with the retired pay thereof.

SEC. 2. Notwithstanding any other provision of law, any such person may be so appointed and retired while holding civil office, and may continue to hold, or be appointed to, civil office to which compensation is attached, but, while entitled to receive the pay or compensation attached to any such civil office, shall not be entitled to receive active or retired pay by virtue of his military status.

Amend the title so as to read: "An Act to provide retirement benefits for certain persons who serve as Administrator of Veterans' Affairs."

And the House agree to the same.

ANDREW J. MAY,
R. EWING THOMASON,
JOHN SPARKMAN,
WALTER G. ANDREWS,
DEWEY SHORT,
Managers on the part of the House.

ROBERT R. REYNOLDS,
LISTER HILL,
WARREN R. AUSTIN,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 872) to authorize the President to appoint Frank T. Hines a brigadier general in the Army of the United States, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause. The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House, with an amendment, which is a substitute for both the Senate bill and the House amendment, and that the House agree to the same.

Except for the differences noted in the following statement, the conference substitute is the same as the House amendment.

In section 1 the words "advice and" were inserted in the second clause in order to conform with the traditional language of the Constitution concerning the authority of the President to appoint officers of the United States by and with the advice and consent of the Senate. Section 1 was further amended so as to provide that the terms of the act would only apply to an officer who has performed active military service for more than 15 years. The language contained in section 2 was added for the purpose of expressly authorizing the appointment of any person under section 1 notwithstanding the provisions of existing law pertaining to the holding of more than one office. However, section 2 precludes the receipt by such person of active or retired pay by virtue of his military status while entitled to receive the pay or compensation attached to a civil office.

ANDREW J. MAY,
R. EWING THOMASON,
JOHN SPARKMAN,
WALTER G. ANDREWS,
DEWEY SHORT,
Managers on the Part of the House.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that on tomorrow, after the business on the Speaker's desk is disposed of, I be permitted to address the House for 15 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. HORAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two articles from the Saturday Evening Post.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. HESS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include an article which appeared in the Cincinnati Enquirer.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow night it adjourn to meet on Tuesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE PROGRAM

Mr. MICHENER. Mr. Speaker, will the gentleman from Massachusetts state

the legislative program for next week, so far as he knows now?

Mr. McCORMACK. There is a bill reported out of the Committee on the Judiciary which was introduced by the gentleman from North Dakota [Mr. LEMKE].

Mr. MICHENER. Is that an amendment to the Lemke farm moratorium?

Mr. McCORMACK. Yes; that is correct. It is H. R. 4166. Unless it is passed by unanimous consent today, that will be in order on Tuesday next. Outside of that, I have no other program to announce at this time for next week.

Mr. MICHENER. I thank the gentleman for his courtesy.

PERMISSION TO ADDRESS THE HOUSE

Mr. BULWINKLE. Mr. Speaker, under a special order I had received permission to address the House on Monday next. I ask unanimous consent that that may be transferred to Tuesday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from this morning's Post.

The SPEAKER. Is there objection?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. ELIZALDE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. COFFEE. Mr. Speaker, I ask unanimous consent to extend my remarks on two different topics, and in one to include a newspaper article, and in the other to include a short address by Federal Judge John C. Bowen.

The SPEAKER. Is there objection?

There was no objection.

[The matters referred to appear in the Appendix.]

The SPEAKER. Under previous order of the House, the gentleman from Washington [Mr. COFFEE] is recognized for 20 minutes.

Mr. COFFEE. I ask unanimous consent that I may revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

THE BERLIN-MADRID-SOUTH AMERICAN AXIS—AND WHAT WE MUST DO TO FIGHT IT

Mr. COFFEE. Mr. Speaker, last June I made the suggestion on this floor that the House of Representatives should immediately establish a committee to investigate the activities of the Spanish Falange in the Western Hemisphere. As I remarked then, I was prompted to make that request because of the charge leveled against the Franco regime and its official party by the publication of Allan Chase's book, Falange, The Axis Secret Army in the Americas. The committee to investigate these charges was not organized, but since then history itself has acted as this committee—the events of the past year have more than substantiated the charges made in the book.

Only a few weeks ago, for example, we learned that the State Department's report on the revolt in Bolivia charged that Jose Luis Aranguren, an official of the Spanish legation in La Paz and chief of the Spanish Falange in Bolivia had acted as the go-between between the Nazis and the leaders of the Bolivian revolt. In that same week the State Department, after all these years, was forced to recognize the Fascist character of the Franco regime—was forced to dispatch a strong note to Madrid in which the Axis regime of Francisco Franco was severely taken to task for its services to Hitler. This note was sent after consultations with the British Government, which has also begun to realize what is happening in Spain.

The time for an investigation of the Falange and of our relations with the Falangist Spanish state has passed. Time, which never stands still, moves with lightning speed in war years.

DEMOCRACY SHOULD BE ENCOURAGED IN SPAIN

The time has come for definite, positive, democratic action on Spain. The laws of common sense, of self-preservation, demand this action. The demands of our war machinery, of the post-war settlements, cry out for action. There is only one course that the realities of the world situation permit us to take. We must immediately break all diplomatic relations with Franco Spain.

SEVER DIPLOMATIC RELATIONS WITH SPAIN

Yes; we must make this break now on our own terms—before the Axis forces us to break with Fascist Spain on terms such as Japan handed us at Pearl Harbor.

But we must go further than merely to break with Spain. Merely to sever our diplomatic ties would be to hand the whole Iberian Peninsula to Hitler by default. There is no need to permit Hitler to retain his control of Spain. The overwhelming majority of the Spanish people are violently apposed to Franco and his German masters; they are completely devoted to the cause of the United Nations. The people of Spain are today facing Franco's firing squads because of their sabotage of the German war machine in Spain. The people of Spain are our allies; their enemies are our enemies; their friends are our friends. We have it in our power to help them throw the Germans out of Spain and once more bring the Spanish Nation into the world family of democratic countries.

FRANCO NOT TYPICAL OF SPAIN'S PEOPLE

Franco is not Spain. He was put into the seat of purely nominal power by the combined armies of Hitler and Mussolini during the Spanish War which started in July 1936 and ended in April 1939. That it took 3 years for Hitler and Mussolini to defeat the republic established by the Spanish people in the bloodless revolution at the polls in 1931 is a testimonial to the fierce hatred the heroic people of Spain bear toward the fascist Axis.

FRANCO IS HITLER'S PUPPET

Franco is and, since 1935, has been Hitler's faithful puppet. Everything he has, he owes to Hitler. Since 1939, Franco has done everything in his power to aid the Nazi cause in this war. He will go on aiding Hitler and the men behind Hitler despite any promises he may make to the Governments of England and the United States. The promises of Francisco Franco are worth no more than the promises of Adolf Hitler, Benito Mussolini, and Emperor Hirohito. We are now engaged in the greatest war in the world's history because some statesmen chose to accept at face value the promises of the fascist rulers of Germany, Japan, and Italy. Are we now going to wait until the promises of the fascist puppet-ruler of Spain also blow up in our startled faces? What moral or military justification can we present for accepting the word of a proven liar, of a man who won his present post by violating his oath to a democratic republic, by betraying his country to Germany?

NAZI GERMANY IS SPAIN'S GREATEST CUSTOMER

Even the most cursory examination of Franco's services to Hitler leave no doubt as to where Falangist Spain fits into the Axis war picture. According to the statements released by the Spanish Government itself, Nazi Germany is Spain's biggest customer. Let us for the moment ignore the fact that Spain's resources themselves are now in the hands of German owners. Whatever the economics of the matter may be, the fact remains that by Franco's own admission Germany is getting the largest portion of Spain's exports.

SPANISH EXPORTS

What are these exports? Spain produces great quantities of mercury, copper, tungsten, iron, and other vital war materials. On January 25 of this year, Dingle M. Foot, parliamentary secretary to the British Ministry of Economic Warfare, disclosed that in the year just ended Germany received from Spain 100 tons of tungsten monthly. He revealed that 40 percent of Germany's wolfram—the vital tungsten ore—came from Spain, and that 50 percent came from Portugal. Think of it, 90 percent of Germany's tungsten comes from the two Iberian Fascist states we have been appeasing since 1939. How many American and British and Russian soldiers have been killed by the Nazi steel hardened with this Iberian tungsten?

Let us turn again to Mr. Foot's report. Although he gave no figures, he disclosed that Spain ships to the Nazi wehrmacht large and decisive quantities of iron ore, iron pyrites, hides, tin, wool, cork, turpentine, and fruit.

Spain also ships some fruit to England. But I see by the papers that the oranges sold to England by Franco contain time bombs which blow up not only the cargoes but also the British ships and crews carrying this cargo.

SPAIN'S MERCHANT FLEET

Spanish products are the least of Spain's exports to Germany. Spain has

a merchant fleet which sails the seas in the guise of a neutral shipping navy. Since 1939, Spanish ships have been loading oil, wheat, beef, platinum, radio equipment, machinery, and other war supplies in North and South American ports and transshipping these cargoes to Germany. It was only last month that the United States and Great Britain made the first step toward ending this traffic in United Nations oil to the Nazi war machine via "neutral" Spain. But how many American, British, and Russian soldiers have paid with their lives for this great bonanza Hitler has won by keeping his Spanish puppet state in a condition of phony neutrality?

Spain has made available to the Nazis all of its ports and territorial facilities in Spain and the Spanish colonial possessions. It is no longer a secret that the Nazis have functioning air, submarine, and refueling bases in Morocco, the Balearics, and in Spain itself. Nearly any United Nations sailor who has been in Spanish waters since 1939 can tell you about these bases. On February 6 the Sunday Observer of London revealed that Italian midget submarines had been based at Algeciras (Spain) during the crucial years of Mediterannean warfare. Does anyone dare to suggest that Nazi submarines are not at this moment using these same bases in Spain? Why have Pan-American Airways Clippers stopped flying over the Spanish Canaries? Is it because of the German base at Teneriffe?

SPAIN IS DECIDEDLY UNNEUTRAL

Franco has always claimed to be an innocent neutral. I would like to quote a passage from Allan Chase's prophetic book which will better enable you to understand Franco's neutrality for the Axis trap that it is. Chase wrote:

> In Spanish Morocco, while Spain was still a republic in 1936, the Government had a garrison of 1,683 officers and 40,383 men. The (Franco) Fascists increased this garrison in 1939 to two complete army corps—a force of over 200,000 soldiers. By 1943 this 200,000-strong army had been more than doubled in size.

There you have some very cold facts. Against whom are Spain's German military advisers preparing this army of some 500,000 soldiers? Why did the democratic Spanish Republic, which Franco betrayed, need only 40,383 soldiers in Spanish Morocco? Perhaps Generals Eisenhower and Clark and Montgomery can supply the answer in their post-war memoirs. But if you cannot wait until after the war, take a look at the photographs of the graves of the American and British soldiers who died in the north African and the Italian campaigns. Visit an Army hospital and talk to some of the American casualties of these campaigns. Ask them whether we would have suffered as many deaths and casualties as we did in these campaigns if we did not have to waste so many troops to keep watch on the Spanish Moroccan borders. Yes, ask them—and mark their answers well.

SPANISH FASCITS FIGHT FOR THE AXIS

Mr. Speaker, I can say again that the present Government of Spain is Hitler's, a tool completely at his disposal. Hitler has conscripted Spanish manhood to fight in Russia as part of the German armies. They called them volunteer legions in the beginning. The Blue Division they called these troops, naming them after the blue shirts of the Falange Party, the only official party in Spain. When those United Nations which still maintain diplomatic ties with Franco protested these Spanish troops on the eastern fronts, the Fascist hypocrites in Madrid at first disclaimed the troops. Then they admitted that the Blue Division was indeed a reality, but consisted solely of volunteers. Finally, after continued pressure from London, the Spanish Government accepted the responsibility for sending the troops to aid Hitler, but promised to recall them at once.

This promise was as worthless as the promise of any other Fascist government. The Spanish troops are still killing Soviet soldiers, still murdering Soviet civilians. Only a few weeks ago the Fascist government of Spain cynically told a prominent and rather innocent American correspondent that the only troops which have not been recalled from the Russian front were criminals and other undesirables. Even if true, this is not enough. Are we supposed to be grateful because criminals too dangerous to be allowed at loose in Madrid are now armed and facing our allies in Russia?

GERMAN AGENTS IN SPAIN

Within the past 6 weeks the intelligence services of our European allies have reported that German agents are pouring into Spain and the Spanish colonial islands and possessions. These Nazis are known to the Spanish Government, which aids and abets them in their war against us.

I have examined hundreds of Spanish newspapers and other publications issued in Spain during the past 6 months. Only the fact that these official organs of the Franco state are printed in Spanish distinguishes them from the press of Nazi Germany. Spain's official press is 100 percent Nazi in ideology, in language, and in its treatment of the war. Like the Spanish radio, the Spanish official press hails Hitler and the Nazis, excoriates Hitler's enemies. But what can you expect from a Spanish Government whose chief, Franco, answered Hitler's birthday cable on the anniversary of Pearl Harbor in these words:

> Many thanks to you and the German peoples. May your arms triumph in the glorious undertaking of freeing Europe from the Bolshevik terror.

What can you expect from the Spanish press when the Spanish "Dictatorette" Franco makes endless public speeches declaring that the war we are now fighting is simply a war between fascism and bolshevism and that Franco chooses to back the forces of fascism? What can you expect from a Spanish press when the Foreign Minister of the Spanish Fascist State wires congratulations to the Japanese puppet ruler in Manila and felicitates the traitors for having won their independence from—from whom? MacArthur? And if you think that Spain and the Spanish Falange did not have a hand in the Japanese triumph in the Phillipines, take a look at Allan Chase's book.

In a previous talk, I presented to this House instances of the job Franco and the Spanish Falange has been doing for the Axis in Latin America. Our Government now has in its possession thousands of documented records of the anti-United Nations sabotage, the Axis propaganda, the national fifth-column work the Spanish Government is performing in Latin America through the Spanish diplomatic offices, the Spanish Falange, and the Spanish merchant fleet. The revelations of the Spanish Falangist role in Bolivia is but a minor example of this menace.

FALANGE: FASCISM IN THE AMERICAS

On January 12, for example, the newspaper El Pais of Caracas, Venezuela, exposed the fact that the Spanish Embassy in Caracas is now distributing money to "no fewer than 200 Germans" working as Nazi agents in Venezuela. The paper further revealed that much of the funds at the disposal of Vite, the head of Nazi intelligence in Venezuela, reached the Western Hemisphere on board the Spanish "neutral" ship, *Cabode Hornos*. This is not an isolated instance. This is a typical case from the pattern of Falangist activities in the Americas. But studying this pattern, you get a pretty good idea of why the Fascist General Pedro Ramirez, Argentina's Franco, broke diplomatic ties with Hitler Germany when the pressure became too great. The Spanish Embassy is still open in Buenos Aires, and the Spanish Ambassador, like the Spanish puppet ruler, takes his orders from Berlin.

"Neutral" Spanish ships deliver thoussands of Nazi agents to ports in every American nation. "Neutral" Spanish ships deliver thousands of tons of Nazi propaganda to all of Latin America. "Neutral" Spanish ships rendezvous with Nazi submarines in Latin American waters; supply them with oil, water, and food; give them information on the movements of United Nations convoys. "Neutral" Spanish ships deliver German-trained Spanish agents to lead Falangist front organizations like the anti-democratic, anti-Semitic, pro-Hitler Sinarquistas of Mexico. Talk to an American seaman and ask him what happens on the run to Aruba, for example, when a "neutral" Spanish freighter is sighted on or near the course. He can tell you a thing or two about the way Spanish freighters and Nazi submarines collaborate against Uncle Sam!

WHY DON'T WE ACT?

Mr. Speaker, these facts are known. These facts are no longer secrets guarded by the Nazis. Some day when we break with Franco—and I repeat, if we don't make this break on our own terms we will ultimately have to do it on Hitler's terms—on the day when we break with Franco the State Department will no doubt publish a special White Book containing the detailcd record of Franco's services to his German masters. Must this record wait until Hitler is ready? Our Government has the facts now; every democratic government in Latin America has

drowning man fighting for his life, he went to Columbus and consulted the leading cancer surgeon in the State of Ohio. This gentleman, being sympathetic as most great doctors and surgeons are, diagnosed his case without any consideration of remuneration, and told him frankly that his condition was serious and that his time was short, and upon inquiry, having ascertained that the great Philadelphia surgeon had previously operated on Mr. Graham, he immediately advised Mr. Graham that he should by all means return to Philadelphia immediately. Mr. Graham proceeded to his home in Athens, Ohio, from Columbus, Ohio, and contacted the hospital at Philadelphia; and they, remembering him well, encouraged him to come immediately and that they would have a place for him. Everyone seemed to love and respect this deserving man. Before he started for Philadelphia, he communicated with the American Legion and also with my office in Washington. As soon as we received his communication we contacted the Veterans' Administration in Washington, and they in turn contacted the hospital in Philadelphia. The medical authorities at the hospital diagnosed his case exactly as the Columbus surgeon had done and immediately proceeded to perform another serious operation in order to save and extend his life. Graham remained in the hospital for a number of weeks, and when he was able he returned to his home in Athens. His physical condition was such that it was necessary for his wife to accompany him, and it was necessary to expend considerable money in making travel and hotel and other arrangements. Graham returned to his home, where he lived for several months after the operation last above referred to. During that time he presented his claim for reimbursement to cover the expense thus incurred. It would seem that there could be absolutely no reason why this expense should not have been paid. Similar expenses had been paid and Mr. Graham had notified the proper authorities and the proper authorities had also been notified by my office. The claim was not paid. Renzie Graham died, and his widow was compelled to incur reasonable funeral expenses.

All these expenses which Mr. Graham had incurred, plus the funeral expenses incurred by his widow, are covered by the sum of $1,900.

The only possible objection to the payment of this claim was that the Veterans' Administration claimed to have had a regulation which was to the effect that except in emergency cases, the Veterans' Administration would not reimburse for traveling expenses unless the veterans had gotten written approval in advance for the incurring of said expenses. By way of credit to the medical department of the Veterans' Administration, with whom I consulted, as soon as Mr. Graham could notify our office and with whom I consulted after this claim had been prepared and presented, I will say that I feel sure that every medical officer in the Veterans' Administration would have interposed no objection whatever to the payment of this claim. Having made this regulation they naturally felt that they would not in writing approve an item contrary to the regulation regardless of the fact that they had by implication encouraged the expenditure. In other words, nobody anywhere, except the President, has shown any inclination to oppose this claim. That being the case it meets all the requirements of a claim that should be presented to Congress. In other words, if the law is uncertain and if the regulations are uncertain and if the conduct of the Government officials is uncertain, all these uncertainties weigh as nothing over and against the certainties of the fact that this man had given his life for his country and that his wife and little children were asking to be recompensed from the hands of a great and magnificent Government to the small amount of money actually spent by the soldier in an effort to extend his life and by his family in burying his body.

I repeat that this is a perfect case for consideration by the Congress. The Congress considered it perfectly and thoroughly and unanimously. The Senate then considered it perfectly and thoroughly and unanimously. But the President, failing to see justice through a thin flimsy veil of uncertainty, interposes his great and powerful veto.

Just a few days ago the President interposed his veto on an issue of national importance which the Congress and the Senate resented by overwhelming vote and indicated to him clearly that he had overstepped his bounds. You might ask me why therefore I do not bring parliamentary procedure to test the President's veto in this case and to attempt to override it. Justice and equity would demand that we should take such steps but even though this is a land of the people and by the people sometimes it seems that it is not altogether and all the time for the people. I have decided as a representative of this widow and her family that probably the best course is to await that day when we shall have another President and a different President in the White House. Personally I hope that day is not far distant. If I am a Member of Congress at that time, I shall surely see to it that this case and this claim will be presented to another President in the hope that he can view the matter with compassion and can consider all the facts and see through flimsy uncertainties.

In the meantime, as a word of comfort to Mrs. Graham and her children, let me recite this verse of poetry:

Right forever on the scaffold,
Wrong forever on the throne,
But the scaffold sways the future,
For behind the dim unknown
Standeth God within the shadows
Keeping watch above his own.

(Mr. JENKINS was granted permission to extend his remarks immediately following the President's veto message on the bill referred to.)

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that Calendar Wednesday business this week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I shall not object, I understand there has been a little change in the program for today and tomorrow. Will the gentleman tell the House what that is?

Mr. McCORMACK. Mr. Speaker, on Friday last I announced that a bill to amend the Federal Reserve Act would be taken up following consideration of the so-called Lemke bill. The chairman of the committee having charge of this bill has asked me to have the bill come up for consideration Thursday, if possible, instead of today. I am informed that he has conferred with some other members of his committee. The program is such that that can be done, therefore the bill to amend the Federal Reserve Act will be taken up and considered on Thursday.

The other bill, H. R. 2985, involving trustee processes and so forth will come up for consideration tomorrow as previously announced.

Mr. MARTIN of Massachusetts. And the Frazier-Lemke bill will be the only one to be considered today?

Mr. McCORMACK. That will be the only one to be considered today.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article recently appearing in the Boston Post.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article from the Waldon Citizen-Herald, and I also ask unanimous consent to extend my own remarks in the RECORD and to include comments from certain newspapers and commentators.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. FISH.]

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short editorial from the Chicago Sun, also one from the Times and also one additional article.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made earlier today.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. SHORT]?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

Mr. LEMKE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include some statistical data concerning the Missouri River Basin.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. LEMKE]?

There was no objection.

[The matter referred to appears in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. LEA. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

FARM MORTGAGE MORATORIUM

Mr. SABATH. Mr. Speaker, I call up House Resolution 449 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4166) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, as usual, I shall later yield 30 minutes to my colleague from Illinois [Mr. ALLEN], who is always interested in the farmers.

Mr. Speaker, this resolution makes in order the consideration of H. R. 4166, a bill extending section 75 of the National Bankruptcy Act enacted in 1933, which was passed in the interest of approximately 90 percent of the then distressed farmers of the country. The principal purpose of the bill is to extend for an additional period of 4 years the time within which petitions may be filed under the farm-mortgage moratorium law. Section 75 of the act was designed to relieve distressed farmers who were in default in their farm mortgages and to relieve agriculture from the effects of the deflation in land values resulting from the depression. It permitted a scaling of secured debts and an extension of same by agreement. Failing agreement, it gave to the farmers an absolute stay, the right of retention of the mortgaged property during the stay period, and permission to repurchase the property at an appraised value.

The rule provides for one hour of general debate, after which the bill will be read for amendment under the 5-minute rule.

The bill before us further provides for the appointment of conciliation commissioners in the district courts of the various States, who will pass upon the applications. It also provides for a fee of $25 to be paid upon the filing of the petition, but limits the fee paid to the conciliation commissioners to $10 per diem.

Mr. Speaker, in 1930, 1931, and 1932 due to the unfortunate conditions that existed throughout the Nation, farmers were losing their farms, their mortgages were being foreclosed and sold at auction at extremely low prices. In 1933, upon the recommendation of President Roosevelt, in the hope that we could save their farms and reduce the interest on their indebtedness, this law was enacted. I voted for it. I am pleased that I can now report this resolution to further extend that beneficial act which aims to help the few farmers—and I say "few" advisedly—who may be in distress at this time.

Mr. Speaker, I have observed the efforts of the Republicans to avoid at any time a comparison of the condition of the farmers during the 12 years of Republican administration, especially those of the last 4 years, namely, 1928 to 1932, with their condition today, and particularly of the prices they are now receiving for their products. They consume much time in daily discussion and in order to mislead the farmers and the people, they continuously harp about bureaucracy in Washington and the large expenditures of the Government. I agree with them that a great deal of money has been spent not only for war purposes, but we have also appropriated for agriculture in the past 11 years, taking everything into consideration, upward of $15,000,000,000. The annual sums appropriated for agriculture in each of the last 11 years have equaled the yearly appropriations of all departments—the entire cost of running the Government—that were authorized beginning with my first year of service in 1906 through 1917. I think on reflection the farmers should and will appreciate what has been done for them by this administration since their unfortunate plight at the close of the Republican administration in 1933. I do not feel that they will listen at this time to a few professional farm leaders who are attempting to minimize what has been done for them by this administration.

There are a few gentlemen from Pennsylvania, Iowa, Kansas, Michigan, and even Nebraska, who discount the facts and figures which I have presented as to the benefits which have accrued to the farmers under this administration and attempt to chide me as to my knowledge of farming. For their benefit let me state, though representing a consumer district, I was born on a farm and am familiar with the work and conditions of diversified farming, and, perhaps, have farmed more than all of them combined.

Let us compare the conditions which many of you gentlemen on the other side are trying to forget, those conditions that existed in 1930, 1931, and 1932, when a vast majority of farmers and people were losing their homes through foreclosures. I do not blame you for trying to forget the conditions that existed during those years when farmers with shotguns were pursuing sheriffs and even judges who were carrying out the orders of the courts to sell their farms and homes on the auction block. I wish to refresh the failing memory of the gentlemen on the other side—yes, and some on our side—as to the prices of farm products in 1932 and to compare them with the prices of today. I have compiled a short table of figures and statistics submitted to me by the Bureau of Farm Economics, as follows:

Farm prices	1932	1943
Wheat	$0.38 per bushel	$1.19 per bushel.
Corn	$0.31 per bushel	$0.90 per bushel.
Oats	$0.15 per bushel	$0.55 per bushel.
Rye	$0.28 per bushel	$0.64 per bushel.
Barley	$0.22 per bushel	$0.70 per bushel.
Beans (dried)	$1.97 per bushel	$5.37 per bushel.
Cattle	$4.25 per hundredweight (4¼ cents per pound).	$12.36 per hundredweight (12⅜ cents per pound).
Hogs	$3.34 per hundredweight (3⅓ cents per pound).	$14.63 per hundredweight (14⅝ cents per pound).
Calves	$4.95 per hundredweight (5 cents per pound).	$14.18 per hundredweight (14⅕ cents per pound).
Sheep	$2.19 per hundredweight (2⅕ cents per pound).	$7.09 per hundredweight (7⅛ cents per pound).

Mr. Speaker, I do not believe anybody can truthfully deny that today the farmers of the United States are in better position than they have ever been in the history of our country.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. No, I cannot yield. The gentleman knows that what I say is true, so I cannot enlighten him. He does not need any enlightenment on it because he knows that what I have stated are incontrovertible facts. He knows we have more money in the coun-

try banks today than ever before, and the bankers do not know what to do with it. In many instances they refuse to accept it.

I feel that in view of the fact that most of the mortgages have been paid off, and that the interest on the balances has been greatly reduced, there will be no real need for this legislation. However, to prove my desire to help even the few unfortunates who may have suffered, not due to neglect on our part in aiding them with legislation in every possible way but due to conditions over which some of them perhaps have not had control, I am indeed pleased that I can again bring in a rule making in order the consideration of a bill that will be of aid to the few remaining distressed farmers.

There cannot be any opposition to this bill as I have said because the Members from the urban sections always support legislation in the interest of agriculture and there will not be one who will object, and how there might be anyone representing the farm districts who would oppose it I do not know. So I take it for granted that there will be a unanimous vote for the rule as well as for the bill.

Mr. Speaker, my reason in directing attention to the present-day conditions of the farmers as compared to those existing under former President Hoover's administration is to show that nearly all urban Members have cooperated and favored legislation seeking to aid and better the condition of the real farmers and growers. In contrast, we find that the Members from the agricultural sections, whenever legislation is up for consideration to benefit and improve the condition of the wage earners and masses, unfortunately fail to reciprocate.

I feel that it is proper for me to call attention from time to time to the prosperity of the farmers in comparison to the struggle for a decent living of the white-collar worker and those people who are obliged to live on fixed incomes. That is the reason for my vote in favor of the subsidy bill to hold the ever increasing cost of living down for people of meager incomes in order that they may maintain themselves and their families.

Mr. Speaker, I have given the foregoing facts and information that I feel cannot be honestly contradicted, in the hope that they will be taken to heart by the representatives of the agricultural sections to the end that they will in the future give real consideration and support to legislation affecting the well-being of the wage earners, white-collar workers, and people of small fixed incomes who live in urban centers.

Mr. Speaker, I reserve the balance of my time and now yield to the gentleman from Illinois [Mr. ALLEN].

(Mr. SABATH asked and was given permission to revise and extend his remarks in the RECORD.)

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, as usual our most brilliant chairman of the Committee on Rules has outlined the principles in his always correct manner. It is perhaps unusual that one from the pavements, one from the bricks of Chicago, should be in accord with one from down-State Illinois, from a district which is perhaps the most diversified farming district in the United States.

The principal purpose of this bill is to extend for an additional period of 4 years the time within which petitions may be filed under the farm-mortgage-moratorium law. An extension of the law was made in 1940 for a period of 4 years.

Section 75 of the National Bankruptcy Act was enacted into law in 1933. It was designed to relieve distressed farmers who were in default in their farm mortgages and to relieve agriculture from the effects of the deflation in land values resulting from the depression. It permitted a scaling of secured debts and an extension of same by agreement. Failing agreement, it gave to the farmer an absolute stay, the right of retention of the mortgaged property during the stay period, and permission to repurchase the property at an appraised value.

In this extension for another 4 years there are some minor changes. They will be outlined to you by the members of the Committee on the Judiciary, which has had extensive hearings on whether or not there should be an extension of this act.

I do not believe anyone objects to the rule, but I should point out to the Members that the Committee on the Judiciary, after holding extensive hearings, by a vote of 9 to 8 reported this measure for the consideration of the House. Due to the fact that it was reported by such a close vote, I ask that the Members study this measure carefully, listen to the debate, and give the measure the fair and honest consideration it so justly deserves.

Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to include in these remarks two news stories, one from the Bismarck (N. Dak.) Tribune of February 21, 1944, and another one from the same paper of February 22, 1944.

The SPEAKER pro tempore (Mr. ANDERSON of New Mexico). Without objection, it is so ordered.

There was no objection.

Mr. MICHENER. This bill as reported would continue the so-called Frazier-Lemke farm moratorium law, with certain amendments, for a period of 4 years. I know of little opposition to a continuance of the law for the time being. However, many of us feel that 4 years is too long. I shall, therefore, vote for an amendment making the period 2 years.

This farm mortgage moratorium law makes applicable to the farmer the benefits of the national bankruptcy law. It is the outgrowth of conditions existing throughout a number of years whereby the agricultural industry was not on an equality with other industries. Its economy had suffered, and many tillers of the soil found themselves burdened with farm mortgages and other indebtedness to such an extent that it was hopeless to even attempt to pay out. The same condition existed with some other groups. In these circumstances, a new concept of bankruptcy was embraced by the Congress and eventually held constitutional by the Supreme Court. So, the farm mortgage law is constitutional.

Now, the principal question before the Congress is to determine whether the bankruptcy privileges made available to the farmer in times of distress, as emergency relief, should be permitted to lapse. My own view is that there is enough good in this law to warrant its continuance for a period of 2 years, with the thought in mind that during that period a resurvey of the law will be made, and, if it is decided to make it permanent, then many perfecting amendments must be adopted. I shall, therefore, vote to continue the law for the 2-year period.

May I call the attention of the membership to page 4 of the committee report. Here will be found the compliance with the Ramseyer rule. In short, turn to page 4 and it will readily be seen just what the proposed changes in the existing law are. These proposals are printed in italics while the remainder of the section appears in Roman type.

Mr. Speaker, as stated by the able gentleman from Illinois [Mr. SABATH] this law has undoubtedly been of great help and has accomplished much good in communities where it has been administered honestly, conscientiously, and as contemplated by the Congress when it was enacted. However, it is difficult to make the administration of any law foolproof. There are mercenary, unscrupulous, conniving, and merciless racketeers found in all walks of life. In certain sections of the country, certain individuals belonging to the above class have been exploiting the Government and the unfortunate farmers in connection with the administration of this law. Indeed, a farm mortgage moratorium racket has grown up in a few communities. The principal offenders are naturally to be found in the State where the greatest number of farmers have sought relief under the law. There is no honor attached to seeking refuge under bankruptcy law, getting one's honest debts scaled down, and compelling the trusting creditor to accept less than the debtor had in good conscience promised to pay. Nevertheless certain mortgagors who would not otherwise think of such a procedure, have yielded to the solicitation and persuasion of these racketeers. Indeed, this practice has become so common that in the State of North Dakota numerous criminal prosecutions in the courts have been had and, as a result of this bad administration, the law is in many places in bad repute. The solicitors, the racketeers, and the grafters who prey upon the farmers for profit under this law cannot be condemned too strongly, and it is refreshing to know that some of the officials in the State of North Dakota are now opening the jails to these culprits.

In the beginning of these remarks I obtained permission to include the accounts of two such prosecutions. These prosecutions are current and both cases were tried during the present month. In the first case, the defendant was convicted by a jury. In the second case, the

defendant pleaded guilty and came through with a clean statement to the court.

I call particular attention to the fact that in the one case the newspaper report quotes the statement of the defendant, who was a "solicitor," who knew what he was talking about, and whose statement has not been denied. The newspaper reports are as follows:

[From the Bismarck (N. Dak.) Tribune of February 21, 1944]

COGHLAN CONVICTED ON 11 OF 13 COUNTS

A Federal district court jury Monday found Joseph Coghlan, Bismarck attorney, guilty of 11 of 13 counts charging him with making false entries in Frazier-Lemke farm bankruptcy schedules and concealing property of Frazier-Lemke petitioners while acting as attorney and agent for the petitioners.

Coghlan was convicted on seven of nine counts of making false entries and four counts of concealing property.

The jury announced it had reached a verdict at 1:58 p. m., after more than 45 hours deliberation and the verdict was read at 2:05 p. m.

Judge John Caskie Collet granted Defense Attorney Francis Murphy until March 2 for any motions or other proceedings in the case.

Coghlan, 64, went on trial Thursday morning and the case went to jury at 4:35 p. m., Saturday. The maximum penalty on each count is 5 years in prison or $5,000 fine or both.

[From the Bismarck (N. Dak.) Tribune of February 22, 1944]

SOLICITOR TELLS OF HIS FRAZIER-LEMKE CASE WORK

Methods of soliciting Frazier-Lemke farm-bankruptcy cases, property appraisals made after dark, agreements and disagreements over splitting of fees, formation of a "protective association against unscrupulous creditors," and a solicitor's own theory of weaknesses in the Frazier-Lemke law itself—

All these are told in a 7,000-word statement submitted by O. W. Bergan, formerly of Crosby, N. Dak., and Fergus Falls, Minn., to Judge John Caskie Collet when Bergan pleaded guilty in Federal district court here Saturday to charges of conspiracy to corruptly administer the Frazier-Lemke Act.

Here, largely in direct quotations from Bergan's statement, are the highlights of his story:

MET WITH BRAATELIEN

Bergan begins his story with a recitation of a meeting in the fall of 1941 with Olaf Braatelien, his cousin and at that time a Frazier-Lemke conciliation commissioner.

(Braatelien and Sam Semingson, both of Crosby, were convicted February 7 by a Minot Federal court jury of conspiracy to corruptly administer the Frazier-Lemke Act. Indicted with Braatelien and Semingson were Bergan, a fugitive at the time the Minot trial opened, and three men found innocent by the Minot jury—Leo Mahoney, of Columbus, and Giles Bailard and Martin Fossum, both of Ambrose.)

Says Bergan of that meeting with Braatelien:

"Mr. Braatelien mentioned that there would be a large number of Frazier-Lemke cases in Divide County as soon as the farmers would get some money to finance them. He also stated that A. C. Townley (one of the founders of the Nonpartisan League and reputed to be one of the first solicitors of Frazier-Lemke cases in the State) had spent about 2 weeks in the county soliciting cases, but had left because farmers had not yet any money with which to start them * * *."

WANTED TO PAY DEBT

"He ((Braatelien) mentioned that Mr. Townley had made an agreement with Mr. E. A. Tannas (a Crosby attorney), to handle his cases for $50 each. Mr. Braatelien also stated that he wished he could get a large number of cases so that he could pay off the delinquent taxes and save his home."

Bergan then relates his agreeing to solicit cases, tells of meeting Tannas, and continues:

"We made an agreement whereby he (Tannas) was to receive a fee of $50 per case and that cases so handled would thereafter belong to him. In other words, I was through with the cases after he commenced making out the petitions."

Bergan describes his methods of solicitation:

"I was armed with tax lists and mortgage abstracts covering the territory in which I worked and approached the farm problems in a definite and businesslike manner. I asked the farmer approached if he owed much and if he could pay it. In all instances the farmer would reply that his debts were hopeless and that he never could pay them and that his children could not pay them if they were to shoulder them.

STUCK TO SYSTEM

"I would take a slip of paper and roughly put down his assets and his liabilities and would then tell him whether he had a case or not and if he had a case whether it was a fair case or a good one. I told the farmer who had no real estate that it would not be worth it to go through unless he could scale down a thousand dollars or more. I told the farmer who owned real estate that it would not be worth it unless he could scale down more than $2,000. This standard in my work was adhered to at all times.

"If I saw that they made meritorious cases I obtained a bonded abstract covering all their properties and delivered same to the attorney. When I brought the petitioner to the attorney, he had merely made a synopsis of his case and in most cases this was done verbally. Many of them, in fact most of them, did not know how much they really owed until an abstract was obtained. When the petitioner was brought to the attorney my services and responsibilities ceased.

Bergan said Congressman LEMKE was one of the speakers at a meeting at Columbus of a "protective association" to protect petitioners from "unscrupulous creditors."

CRITICIZES APPRAISALS

Bergan's statement is particularly critical of methods of appraisal of property in Frazier-Lemke proceedings. He declares:

"The method of appraising property was crude, incomplete, and exceedingly primitive. I frequently criticized appraisals on that ground and called attention to the seriousness of the work and why it should be complete and carefully made. I suggested to Braatelien that I would compile a form (for making appraisals) that would be more comprehensive and thorough.

"I also suggested that appraisers be paid a larger fee and make from 2 to 3 appraisals per day instead of 8, 9, and 10 as sometimes was the case.

"I know of appraisals made after dark. I know of appraisals made without going near the property. I know of appraisals made by conference miles away from the property."

COMPETENT MEN

"The men selected to make the appraisals were generally competent and honest men and no reflection is cast upon them. They should have been instructed to do the work thoroughly and carefully and required to fill out blanks that would properly cover the properties. I was surprised that creditors did not object to the manner in which the appraisals were made. It looked like a hit-and-miss procedure to me with the latter predominating."

Of transferrals of property in connection with Frazier-Lemke cases Bergan says:

"At no time did I suggest transfer of property just before filing, but I was often asked about it. I found the situation in many instances like this.

"For many years the farm income in North Dakota had been meager. The boys and girls who stayed home with their parents and worked on the farm had not been getting any remuneration for their work and not having any money with which to pay them, they had been allotted calves and pigs, cows and horses, and in some cases machinery."

NO BILL OF SALE

"There was no transfer such as bill of sale but the transfer was still good. It would have been unjust and unfair to list such property in the petitioner's name when it actually belonged to somebody else. The appearance might look questionable, but the facts should rule in such cases."

Elsewhere in his statement, Bergan comments:

"May I add here that I observed in my contact with farmers * * * it was a practice of Federal agencies to suggest transfer of personal property after they received their claim or a compromise settlement even if it would destroy a claim of another Federal agency.

"I even found that representatives of the Federal land bank had assisted farmers in transferring real estate to sons or daughters so that the seed- and feed-loan offices could not obtain payment of their claims which in some cases run into thousands of dollars by way of judgments.

"The farmers have learned a lot about how to escape payments of debts by representatives of Federal farm agencies."

Of the Frazier-Lemke law itself, Bergan asserts:

"Too much has been claimed for the Frazier-Lemke Act. It lacks substance teeth. Because of its loopholes, controversial and contradictory phases it should not remain on the statute books because it deceives farmers and leads them to expect much more relief than is possible to receive even under a generous and liberal interpretation of the law."

Bergan said that he and Braatelien had disagreed on appraisals and valuations in several cases but "Good will prevailed at all times even under the tongue of criticism." Bergan said he did not pay Braatelien any money on any case and "there was no agreement as to cases or fees."

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SABATH. Mr. Speaker, I cannot help but extend my appreciation and thanks to the gentleman from Michigan [Mr. MICHENER] who fearlessly, honestly, and courageously gives information and expresses his views on any legislation always with the intention of not only aiding our country but in the interests of the general good. I hope that he will continue with that great intelligence and ability that he possesses, in the future as he has in the past, to enlighten the membership.

I now yield 15 minutes to the gentleman from North Carolina [Mr. BULWINKLE] and ask that he may proceed out of order.

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to proceed out of order and to revise and extend my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BULWINKLE. Mr. Speaker, Palmer Hoyt assures America that "O. W. I. is no propaganda agency." This was the headline to an article by Palmer Hoyt, publisher of the Portland Ore-

gonian, and a former director of O. W. I., in the Washington Star of February 20.

After reading this article my mind went back to just the day before, when the gentleman from Ohio [Mr. BROWN] made a speech to the House in which he alleges that the O. W. I. was a propaganda agency.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I am delighted to yield.

Mr. BROWN of Ohio. I would like to correct the gentleman. He cannot quote any remarks of mine where I said it was a political propaganda agency.

Mr. BULWINKLE. Mr. Speaker, I will not quarrel with the gentleman from Ohio as to what he said in his speech. If he will read it, he said, "They are sending political propaganda to the soldiers."

Mr. BROWN of Ohio. I said they were sending only one side of the political issues. I stand on that.

Mr. BULWINKLE. And that is political propaganda.

The difference in opinion between these two Republicans intrigued me and caused me to investigate the charges made by the gentleman from Ohio in his speech of Friday, February 18, which is on page 1890 of the RECORD.

My investigation convinced me that the gentleman from Ohio [Mr. BROWN] was badly misinformed in the statements which he made to the House, and that some of them were made when, if he had taken the trouble to investigate, he would have found that the facts upon which his statements were based were without foundation.

I will endeavor to take some of his statements and answer them. The gentleman from Ohio [BROWN] stated that the message of the President on the soldier vote legislation was "sent in its entirety to the armed forces by every possible means of distribution through several agencies of the Government." My investigation shows that, according to a standing agreement with the Press Association, O. W. I. files full texts of all statements, speeches, or messages of the President when they are available in advance. In keeping with this agreement, the O. W. I. filed the text of the President's message on the soldier vote bill for all the news services to pick up. The text also was sent to Algiers in accordance with a request from the Psychological Warfare Branch of the Army for all soldier vote material, but also included in the file was a description of the vote in the House of Representatives, showing that Members had stood up to be counted. In O. W. I.'s office in New Delhi, the news file contained 300 words concerning the President's message and 200 words concerning the actual vote, including the fact that the roll was called.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I shall be delighted to yield.

Mr. BROWN of Ohio. Will the gentleman give us the date that that was sent to New Delhi?

Mr. BULWINKLE. No; but I can get it for the gentleman very easily.

Mr. BROWN of Ohio. Did the gentleman check with the War Department News Service and inquire whether or not they had sent a true report of the matter?

Mr. BULWINKLE. I will give that to the gentleman directly. Notwithstanding, let me remind him, in speaking about the O. W. I.——

Mr. BROWN of Ohio. I beg the gentleman's pardon. I was speaking of all agencies of Government. You just quoted the words. You ought to understand the words you quote; I hope you can.

Mr. BULWINKLE. The gentleman will find out. If the gentleman could investigate as well as he can make statements, what a wonderful man he would be.

Mr. BROWN of Ohio. If the gentleman would understand as well as he can talk, it might make a difference. The gentleman can make many claims.

Mr. BULWINKLE. The gentleman from North Carolina has more to say.

Mr. BROWN of Ohio. The gentleman from North Carolina can sometimes criticize.

Mr. BULWINKLE. Will the gentleman from Ohio read his own speech? Do you not know what is in your own speech? Who wrote it for you, if you cannot remember what is in it?

Mr. BROWN of Ohio. Read the quotation again and you will understand it. Read it again. Read the quotation you just made.

Mr. BULWINKLE. Notwithstanding that this had happened, the gentleman from Ohio [Mr. BROWN] stated, "That news concerning the action of the minority leader, Mr. MARTIN, in making a roll-call vote on the soldier vote bill possible was not given to the armed forces by these same Government agencies." the gentleman from Ohio [Mr. BROWN] further stated that the statement of Senator GUFFEY charging that "an unholy alliance" was blocking a Federal soldier vote bill was broadcast quite freely to the armed forces overseas but that the reply of Senator BYRD to Senator GUFFEY was not mentioned. A check of the scripts of the four major short-wave broadcasts in English, French, Italian, and German shows that the Office of War Information did not broadcast anything in regard to the President's veto message, the roll call, or the statements of Senators GUFFEY and BYRD.

In psychological warfare it would be absurd for the O. W. I. to consider that congressional action on the soldier vote legislation was good propaganda material for transmission abroad. For after all is said and done, the information that is sent overseas by O. W. I. reaches people in Allied, neutral, enemy and enemy-occupied countries and such information should assist in the war effort of the United States. The fact of the matter is that the soldier vote news was treated very lightly, or side-stepped whenever possible, because you and I see that it is a very embarrassing topic to talk about with other people.

From hearing Mr. BROWN's speech, or reading it in the CONGRESSIONAL RECORD, one would infer that the O. W. I. broadcasts to the members of the armed forces or sends to the armed forces publications or other information material. This is not true. The O. W. I. does not broadcast to members of the armed forces, nor does it send to the armed forces any publications or other material. The information services of the armed forces, including the Army papers such as the Yank and Stars and Stripes do have access to the O. W. I. news files just as they have access to the files of the Press Association.

Another glaring error the gentleman from Ohio [Mr. BROWN] committed was when he said that members of the armed forces "are also getting, as a natural circumstance, the propaganda that is being directed to the people of the foreign countries." Then—for what purpose I do not know—the gentleman from Ohio [Mr. BROWN] stated "further it is likewise true that our armed forces are exposed to the propaganda disseminated to the peoples of foreign lands and published in the press or heard over the radio in the lands in which they are located." Now, if the gentleman from Ohio [Mr. BROWN] had taken the trouble to investigate, he would have found that the broadcasts from this country are sent by short wave, and it is extremely doubtful that there are many members of our armed forces who have access to short-wave receivers. In addition to this, O. W. I.'s short-wave broadcasts are sent in nearly 30 languages, only one of which is English. I will venture to say that very few American soldiers, sailors, or marines have any knowledge whatever of Chinese, Russian, Arabic, and 25 of the other languages. If they had a short-wave receiver they would get the broadcast in English.

Another statement in the speech of my friend from Ohio shows that he was evidently badly misinformed when he stated that the "O. W. I. not only controls the flow of news to our soldiers, but it also controls the form and kind of much of their entertainment." The truth of the matter is that the O. W. I. has no control whatever over the quantity or quality of the news or entertainment going to the armed forces. Such control is exercised entirely outside of O. W. I. As has been stated by me before, the O. W. I. news files are available to those supplying news to the armed forces, who may pick and choose such news as they will. News and entertainment broadcasts to the armed forces go out over facilities under lease to O. W. I., but O. W. I. has nothing to do with the preparation or presentation of news and entertainment programs.

Now, then, we come to the point in the speech of the gentleman from Ohio [Mr. BROWN] which caused him to make the speech on Friday the 18th. He seemed to have a grievance because his friend, and his Governor, Mr. Bricker of Ohio, was not properly boosted as a candidate for the Presidency and his full speech at the Lincoln Day dinner in Washington sent out instead of just the part of his speech in regard to the United States' future foreign policy. Naturally O. W. I. selected the Governor's statements concerning foreign policy to send overseas because that is what people in foreign nations are interested in.

It does not make any difference who is nominated on either ticket for President of the United States because every man here knows that unless a short ballot—a Federal ballot law is passed by this Congress—that very few of the soldiers or very few members of our armed forces who are abroad will have the opportunity of voting for anyone. There is only one thing that can be done to give the armed forces the privilege of voting and that is to adopt the short form of ballot as provided in the Worley bill, and my friend from Ohio and his friends should bend their efforts toward having a law passed in order to give our people a right and a chance to vote.

Mr. BROWN of Ohio. Oh, will the gentleman yield?

Mr. BULWINKLE. I yield.

Mr. BROWN of Ohio. Does not the gentleman think there was another reason why the O. W. I. did not want to mention that the Governor came out for an antistrike bill, and condemned very properly and very bitterly the policies of this administration relative to domestic matters?

Mr. BULWINKLE. Well, answering that, I would say after reading the Gallup poll last Sunday and noticing that the gentleman's candidate was away down at the bottom of the list, it would not make much difference what he said.

Mr. BROWN of Ohio. Of course, he is a candidate in a free convention, not in a controlled convention.

Mr. BULWINKLE. Now after leaving the political cause of his grievance, as you will note from his speech the gentleman from Ohio then seeks to discredit the O. W. I. still further by saying that the O. W. I. is a "hodgepodge of ideological hues. There are some reds, pinks, and pastels down there." He further stated that the O. W. I. employs some aliens and states that these aliens certainly have their own factional ties. Then he further states, "Our State Department may or may not have policies dealing with the various foreign countries. It makes little or no difference to the multi-hued ideologists of the O. W. I. They have their own varied and conflicting policies."

I was surprised when I heard this statement from the gentleman from Ohio because it showed that my friend was not attempting in his speech to really make a just criticism of the O. W. I. but that he was attempting to spread propaganda—and I might say propaganda against the present administration and in favor of the Republican Party.

The SPEAKER pro tempore. The time of the gentleman from North Carolina [Mr. BULWINKLE] has expired.

Mr. McCORMACK. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. BULWINKLE. The facts are that it is true that the O. W. I. does employ some aliens. The Congress granted them the authority for doing so. We all know that in sending out propaganda in foreign languages that we must have language experts to handle this propaganda, but as to the "reds, pinks, and pastels" it should be known to all, and especially to the gentleman from Ohio, that in common with all employees, aliens employed by O. W. I. are cleared by the regular Government investigating agencies, including the F. B. I., the Civil Service Commission, and O. W. I.'s own security board. For the information of the gentleman from Ohio, I might remind him that Admiral R. P. McCullough, United States Navy, retired, is head of this Board. All persons sent overseas are also cleared with the Intelligence Services of the Army and Navy and by the Department of State.

Of course, the "multihued aliens" employed by O. W. I. may be expected to have their own political, or factional views, but when they write or speak for O. W. I. they do so in conformity with carefully prepared directives, and what they write or say is controlled and monitored to see that they do not depart from the line laid down by the directives. Nor does the Office of War Information set its own policy distinct from the foreign policy laid down by the Department of State. On the contrary, policy directives are established by a group which includes representatives of the Department of State, and, in addition, representatives of the Joint Chiefs of Staff. So the O. W. I. policy is, as it should be, in accordance with both the foreign policy and the military policy of the United States. It might be well for anyone who wishes some information to read the statement of Mr. Robert E. Sherwood, Director of the Overseas Branch of O. W. I., which appeared in the New York Times of February 21 on page 5. In that statement Mr. Sherwood points out that O. W. I.'s principal task at the present time is to supply men and material for the Psychological Warfare Branch of the forces in the western European theater in the same manner that it has, and still is, supplying men and material for the Psychological Warfare Branch of the armed forces in the Mediterranean theater. Just as O. W. I. has combat teams at the fighting front in Italy, and scorces of men behind the lines in Italy, Sicily, and north Africa, so it will have combat teams and supporting staffs with the forces which carry out the invasion of western and northern Europe. These men are in uniform, and they face the same dangers that are faced by the fighting men whom they accompany.

May I not quote part of Mr. Hoyt's statement which I refer to which was in the Washington Star on February 19:

O. W. I. has two branches——

Mr. BROWN of Ohio. Will the gentleman yield there before he takes up that subject?

Mr. BULWINKLE. Yes, I yield.

Mr. BROWN of Ohio. Will you advise the House whether or not Admiral McCullough has insisted on a number of the employees of O. W. I. being discharged and has had difficulty in getting the O. W. I. to discharge certain persons?

Mr. BULWINKLE. I will advise the gentleman that unless they are cleared through Admiral McCullough and the F. B. I.——

Mr. BROWN of Ohio. Will you answer that question, please?

Mr. BULWINKLE. I will tell you they cannot be cleared.

Mr. BROWN of Ohio. They are appointed first, and in a number of instances Admiral McCullough has insisted on their being discharged but has had difficulty in getting them discharged—persons whose loyalty has been questioned. Does the gentleman know anything about that?

Mr. BULWINKLE. The gentleman can take his own time and give names if he wishes.

Mr. BROWN of Ohio. But the gentleman from North Carolina is making some very definite statements. The gentleman should be able to stand up and defend them. I realize, of course, that his speech has been prepared for him by somebody in O. W. I. I am certain of that.

Mr. BULWINKLE. Who prepared the gentleman's speech for him?

Mr. BROWN of Ohio. I am able to write my own; but the gentleman admits that they wrote his for him.

Mr. BULWINKLE. I do not admit it.

Mr. BROWN of Ohio. The gentleman does not admit it?

Mr. BULWINKLE. No; I deny it. I wrote it myself.

Mr. BROWN of Ohio. But material in it was furnished the gentleman. For instance, take that word "ideologist."

Mr. BULWINKLE. I got the facts.

Mr. BROWN of Ohio. I am asking the gentleman if he wrote that word "ideologist?"

Mr. BULWINKLE. I think I did.

Mr. BROWN of Ohio. The gentleman thinks he did. Now, is the gentleman sure whether he did or not? Let us be frank about this thing.

Mr. BULWINKLE. Now, what is wrong with the gentleman from Ohio? The gentleman made a statement here last week.

Mr. BROWN of Ohio. I am asking about the difficulties Admiral McCullough has had.

Mr. BULWINKLE. The gentleman from Ohio made a speech here last week in which he made certain statements. He read a speech here for 30 minutes.

Mr. BROWN of Ohio. It was 22; the gentleman is wrong. Again he is exaggerating.

Mr. BULWINKLE. All right. I exaggerated in this instance just like the gentleman did in his speech.

Mr. Speaker, I refuse to yield further because my time is about out. I am quoting from Palmer Hoyt. But before doing so, let me remind the gentleman from Ohio that the word "ideologist" was used by the gentleman from Ohio in his speech on Friday, February 18, 1944, on the floor of the House. And I was quoting from his own remarks, which he failed to recall.

1. The Domestic Branch, whose duties we have discussed, and the Overseas Branch, which is designed primarily to make a case for American armies and American aims, both in enemy countries and in the satellite areas. Totalitarian countries where minds have been conditioned for years by untruths and half truths have come increasingly to regard information from American sources as reliable. This is a healthy situation, and it is to be presumed that the reorganized

Overseas Branch of O. W. I. will make even further progress along this front. Despite the criticism heaped on the Overseas Branch, the Army has often given public credit to its work, notably in Sicily; General McClure made the flat statement that O. W. I. broadcasts and leaflets distributed behind enemy lines saved thousands of American lives.

One of the most thorough reporters in Washington, Roscoe Drummond of the Christian Science Monitor, went over thousands of words sent out by the Army News Service to American soldiers around the world. He rated the Army News Service almost perfect for impartiality. That is an answer to those who suspect the Army of trying to influence the votes of Americans in uniform.

Mr. Speaker, I have taken this opportunity to speak on the Office of War Information, not because in my opinion it needs any defense, but because having been one of the members of the armed forces of the United States with the American Expeditionary Forces in the last war, I saw the results of German propaganda in France and I realized then that my Nation also was not doing its full duty in this line. There may have been mistakes made in O. W. I. We all make them, but as I have said before, when this war is over and the history is written the American people will be grateful for the part played by this Government agency in bringing to a successful conclusion this conflict. It is easy to make criticism—but I, for one, feel that I should not get up on the floor to criticize any Government agency unless I have the full facts, and any Member who wishes them can easily get whatever information they desire from the O. W. I.

The SPEAKER pro tempore. The time of the gentleman from North Carolina has expired.

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from Washington [Mr. MAGNUSON].

Mr. MAGNUSON. Mr. Speaker, I also ask unanimous consent to speak out of order.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MAGNUSON. Mr. Speaker, the gentleman from Ohio and the gentleman from North Carolina may agree on the facts, but I spent some months on foreign stations and, a Member of Congress, I sought the news whether it came from Roosevelt, Bricker, or any other source.

Mr. BROWN of Ohio. Just what was the gentleman trying to get?

Mr. MAGNUSON. I can submit and anyone can examine copies of station publications. I have several in my office and will be glad to show them to the gentleman or any Member of the House as an example of the kind of news they get every morning on foreign stations. The sheet is compiled from the radio news broadcast as they pick it up from American stations. It is the regular A. P., the regular U. P., or the regular International News Service. That is all we get. The boys get their home-town papers, of course. Whether that is propaganda or not depends upon what paper one reads.

The SPEAKER. The time of the gentleman from Washington has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 1 minute to the gentleman from Washington.

Mr. MAGNUSON. Those little mimeographed sheets constitute the news. What other news they may get from home depends upon what somebody mails the soldier or sailor. I suppose it may even be expected that the Republican National Committee and the Democratic National Committee will probably slip some political propaganda into the mail to the soldiers and sailors, but the actual news is only a mimeographed sheet taken off the radio broadcasts that these people can pick up in headquarters. I will be glad to show those sheets to any Member of the House.

The SPEAKER. The time of the gentleman from Washington has again expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I have enjoyed very much listening to the address by the gentleman from North Carolina prepared for him by someone who is just about as good at preparing propaganda as those individuals who have prepared some of the propaganda that has been sent overseas. I am wondering why there is so much confusion and so much attention paid to this situation? What are the objections to checking into it? If the situation is such as the gentleman from North Carolina asserts, why not go ahead and have a bipartisan committee to so certify? These matters of information that I received did not come entirely from O. W. I., except from their files of copies of material that have been sent out. It also came from some of the books and some of the publications that have been distributed that are already in evidence, and I shall be very glad to later show to the House. If any Member of the House, after reading them, can say they are anything but propaganda, then I certainly misjudge the intellectual capacity of the membership of this House.

I should like to say further to the gentleman from North Carolina that the address which I delivered to the House was written by myself. The information was obtained, either directly by conversations with representatives of different Government departments who themselves stated that they had sent out only one side of certain stories, or had so stated to other Members of Congress.

Mr. ROWE. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. ROWE. Will the gentleman's investigation cost anything?

Mr. BROWN of Ohio. It will cost something, of course, if you have all this news reviewed; but the costs will not be heavy; which reminds me, if there is nothing wrong, if this practice of which I complain is not being pushed, then why should there be any objection to checking into it, because it would show how lily-white pure these gentlemen are down in O. W. I. and in some of the other agencies.

Mr. ROWE. Is it intended to disclose anything but what are the facts?

Mr. BROWN of Ohio. Certainly not.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. HOFFMAN. In view of what happened before a committee of the other body yesterday when one of the President's representatives refused to disclose any information, about how far would the House get, does the gentleman believe, in attempting to find out the facts? Can the gentleman tell me that?

Mr. BROWN of Ohio. Such withholding of information from congressional committees is, of course, a reprehensible practice, and one which should not long be tolerated. However, there are ways and means of finding out, I remind the gentleman.

I conclude my remarks by saying that up to this minute we have been unable to get a report as to the report which was sent overseas regarding the happenings of last week. Last week there were some events in the Congress of the United States that might be of some importance to Americans overseas, and yet up to this minute we have been unable as Members of Congress to get any information as to what our soldiers and sailors and other individuals overseas were told about Mr. BARKLEY's resignation and the manner in which the Congress of the United States answered the President's veto message. I understand that the veto message was sent overseas, but so far I can learn nothing of the news releases that were sent out as to the action of Congress.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. AUGUST H. ANDRESEN. As I understand it, the vote that was taken on the soldiers' vote bill, the stand-up-and-be-counted vote, was also reported, was it not?

Mr. BROWN of Ohio. We were promised that it would be reported, but afterward we were told, and learned, that it had not been. Probably after the gentleman from North Carolina discussed the situation something might have been sent out, prior to the preparation of his speech down in O. W. I.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. PHILLIPS].

Mr. PHILLIPS. Mr. Speaker, after this interlude, I find myself in the disconcerting position of wanting to talk on the subject before the House this afternoon, the Frazier-Lemke Act. This act is a matter of interest to the farming groups of the United States, and when I speak on this subject I speak from very real experience with it, having been for something over 3 years the chairman of a commission in the State of California which handled these farm-debt adjustments and which made use directly or indirectly of the methods provided under the Frazier-Lemke Act, which now comes up for renewal. I sincerely hope it will be renewed.

Periodically in the United States there are cycles in which the farmers find

themselves in difficulties because of the debts upon their farms. At that time a choice must be made between foreclosure, or making it possible for the farmer to work himself out of the difficulty in which he then finds himself.

I believe this whole program of farm-debt adjustment is one of the good things which has come out of the recent decade. In California this program saved the homes of something more than a thousand farmers. The cost of that to the State was less than the amount those farmers paid in back taxes to the county tax collectors. The total cost of both State and Federal programs was less than the debt reductions. These farmers kept their homes and paid their debts. In the background always was the Frazier-Lemke Act.

Mr. Speaker, the point I would impress upon the House this afternoon is that it was not always filing under the Frazier-Lemke Act which made possible the working out of the problem by the farmer. It was the fact that the Frazier-Lemke Act could have been invoked if all other means failed. Since primarily the solution should always be one of consultation, of adjustment, of arbitration, the Frazier-Lemke Act stands only as a force, if it is needed, behind the adjustments.

I could take a very great deal of time and cite to you individual cases; not cases, Mr. Speaker, of poor farmers, not cases of inefficient farmers, but cases of farmers who have taken prizes for being good farmers, but who in the depression years found themselves in difficulties which could only be worked out by the methods of which I now speak.

I understand that certain amendments will be offered. I am hoping an amendment will not be presented which confines the Conciliation Commissioner appointments only to attorneys, for the practical reason that I have seen many men who were not attorneys give their time freely and successfully to work out these problems.

Mr. MICHENER. Will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman from California has been a conciliator?

Mr. PHILLIPS. No; I have not personally been a conciliator.

Mr. MICHENER. Oh, I understood the gentleman had been.

Mr. PHILLIPS. I was chairman of the State commission under which the conciliators and the county committees both worked, and I am thoroughly familiar with the conciliators' work.

The Pacific Rural Press, of San Francisco, had this to say in its issue of February 19, under the heading "Save the Frazier-Lemke Law":

SAVE THE FRAZIER-LEMKE LAW

Under that law thousands of good California farmers were given a chance to work out their debts during the depression, and, with the advent of better farm prices, have paid off their mortgages or reduced them to bearable weight. In the after-war years when we have another downswing, we may sorely need the law again to save farmers to the land. Meanwhile the law is one of the best guaranties against wild land speculation, Mr. Garrod feels.

The Frazier-Lemke law makes it possible for the California commission to act for farmers, Mr. Garrod points out. In addition to the many farmers who were saved under the Frazier-Lemke law by State and Federal agencies, Mr. Garrod reports that Alfred Aram, counsel of the Farmers' Union, has handled 193 Frazier-Lemke cases for California farmers.

The Mr. Garrod, to whom the item refers, is the president of the California division of the Farmers' Educational and Cooperative Union of America. I have received the following letter from him personally:

THE FARMERS' EDUCATIONAL AND COOPERATIVE UNION OF AMERICA,
Saratoga, Calif., February 22, 1944.

Congressman JOHN PHILLIPS,
Washington, D. C.

DEAR JOHN: Our farmers' union does most sincerely hope that Congress will continue in effect the Frazier-Lemke amendment to the National Bankruptcy Act.

To do this will have a double-fold beneficial effect on farmers and farms.

It will, in the first place, continue to help out the poor devils who are up against losing their places, and is the best way of preventing land inflation, because it forces conservative farm loans.

Do the best you can, JOHN; we are behind you.

Sincerely,

R. V. GARROD.

To this I add my own hope, from California's experience, that the Frazier-Lemke Act will be renewed.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. GROSS].

Mr. McCORMACK. Will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Pennsylvania.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a splendid article in connection with the Filipinos' magnificent feat of resistance. I understand this may take a little over the amount allowed in the RECORD and, if so, I ask unanimous consent that it may be included in the RECORD, the excess cost to the contrary notwithstanding.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent to extend my remarks and to include in my remarks a statement from the president of the Farmers' Union and from the Pacific World Press.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. PHILLIPS]?

There was no objection.

Mr. GROSS. Mr. Speaker, if the extension of the Frazier-Lemke Act will help distressed farmers to work out and pay off, then I am for it, but in order for them to work out and pay off is entirely dependent on the trend. You must remember that during those few years when the administration was boasting how its legislation was enabling farmers to pay off, there were several things that entered into the situation. One was a rising market. They will never pay off unless they have a rising market. The other was the fact that new lending agencies were being created whereby those farmers could borrow money from one Government lending agency to pay off the debt to the other Government lending agency. Since it depends on a rising market, then it behooves the administration to make it possible for the farmers to produce and produce more.

Several times I have seen the gentleman from Illinois [Mr. SABATH] come down into the well of the House and tell us how he loves the farmer, how he has voted for all farm legislation, how he understands the farm problem and how he understands livestock and agriculture generally; but his actions have proven that he is entirely unfamiliar with these things. I heard him say some time ago that "the guilty farmers have more money today than they know what to do with." I resented that statement as did every other farmer and I intend to answer the gentleman in great detail one of these days. I hope he will be present and listen to it. Frankly, I do not believe the gentleman knows the difference between a field of corn and a field of celery, even though he comes from the greatest corn State in that section of the country. I heard him say so often how he understood livestock problems. I wonder if he knows that when a chick is hatched out of the egg it has all the eggs in it that it will ever produce, approximately a thousand. Whether a man gets those thousand depends on whether he knows how to do it, then when he does it the gentleman calls him a guilty farmer. May I say that if he and the administration want these farmers to work out their problems they must give them a market, at least above cost of production.

The man who sells fat cattle today loses money on every steer or head of livestock he sells. The man who sells fat hogs today would be better off if all his pigs had died the day they were born. The man who ships milk is losing money, and likewise the man who sells eggs. If that is not true, why, then, should the Federal Government be insisting on subsidies today?

There is one thing that will keep inflation away in this country, and that is a generous supply of commodities. More and more production and prices cannot rise. The New Deal theory of curtailed production is silly. Inflation will never be kept away by subsidies or conniving on the part of politicians. It is only a generous flow of commodities, and that generous flow of commodities can only be brought about by the administration making it possible for the farmers to produce and encouraging them to produce so that we may carry on.

The gentleman from Illinois has criticized the farmers who have kept going. The livestock section of South Chicago

would have failed long ago if the farmers had not gone ahead, although the lower prices caught them because they had fixed charges which they had to meet.

The tobacco farmers may be breaking even, but why, with retail prices higher than ever, should the farmer not have as much as he has often had in peacetimes?

If the Government would let the farmer alone, give him the encouragement of a profitable market, and then if the Government would be run as economically as the average farmer runs his farm, taxes would be only half as high, and the whole world would be better fed and happy soon again.

(Mr. GROSS asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, the Frazier-Lemke Act has been of great benefit to the farmers of Iowa. Its passage in 1933 together with what else was done by the Federal Government during the dark days of the depression alone have not been sufficient. It was necessary for our State to pass a State mortgage moratorium law which remained on the statute books for 6 years, but was not extended in 1939 because of a finding that the emergency for which the bill had been passed no longer existed. Also back of the finding was the fact that the Frazier-Lemke Act was still in existence and would take care of those few farmers remaining who needed assistance.

Mr. Speaker, we should today extend the Frazier-Lemke Act because there are still some farmers who will need its benefits. They need them now in good times more than they needed them in hard times because a farmer who is really up against it today in foreclosure proceedings happens to be caught in a situation where he is not making anything like his neighbors are making and he needs these benefits more than he needed them in times of depression; therefore I believe this rule should be adopted and I favor passage of the bill.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the remaining time on this side to the gentleman from Ohio [Mr. RAMEY].

(Mr. RAMEY asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. RAMEY. Mr. Speaker, I had intended to offer an amendment, which I will include in my remarks, and which is identical with the language contained in H. R. 7356 of the Seventy-seventh Congress which passed the House on October 21, 1942, but which failed to be acted on by the Senate prior to the date on which that Congress adjourned, December 16, 1942.

This amendment has the approval of those officials who are concerned with and charged with the responsibility of administering the law; that is, the vast majority of the district judges and the National Bankruptcy Conference. It provides for more efficient administration and assures the appointment of conciliation commissioners who are entirely competent and thoroughly qualified to perform the duties involved. I have talked with members of the committee who are placing the substance of this amendment in the bill; therefore, I shall not offer the amendment.

The amendment I proposed is as follows:

Amendment offered by Mr. RAMEY: Page 1, line 7, after the word "follows;" strike out commencing with line 7 on page 1 to and including the words "by order specify" in line 18 on page 2 and insert "The judges of the several courts of bankruptcy shall appoint referees, to be known as conciliation commissioners, and who may be referees in bankruptcy, each for a term of 4 years, and may remove them if their services are not needed or for other cause. One or more of such conciliation commissioners shall be appointed for each division or district, or such part thereof as may be designated from time to time, as may best serve the prompt, efficient, and economical administration of the cases filed under this section. Such conciliation commissioner must have the qualifications of a referee in bankruptcy, and the familiar with agricultural conditions and not engaged in the farm mortgage, banking, or farm-financing business. The court, if it deems it advisable, may appoint some suitable person as supervising conciliation commissioner in each judicial district or division, who shall have such supervising functions with relation to proceedings under this section as the court may by order specify."

I also include as part of my remarks the following:

Sec. 75. Cases filed and pending in the entire country and in North Dakota and South Dakota, covering the fiscal years 1937–42, inclusive, taken from the annual reports of the Attorney eneral and of the administrative office

	1937		1938		1939		1940		1941		1942	
	Filed	Pending	Filed	Pending	Filed	Pending	Filed	Pending	Filed	Pending	Filed	Pending
Entire country	1,927	4,350	3,424	5,052	1,969	4,372	1,818	4,379	1,700	4,413	1,547	4,680
North Dakota	66	60	823	500	25	105	118	178	213	329	659	872
South Dakota	10	16	38	34	5	7	7	9	4	11	10	19

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to include in my remarks the amendment to which I referred and also a report on the section 75 cases filed and pending in the entire country and in North Dakota and South Dakota covering the fiscal years 1937 to 1942, inclusive.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. RAMEY]?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. KEFAUVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4166) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4166, with Mr. MURDOCK in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. KEFAUVER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the bill H. R. 4166 extends the Frazier-Lemke Act for a period of 4 years. There are three minor amendments which I shall discuss in a few minutes.

To begin with, let me say that the author of the act, Mr. LEMKE, originally filed the bill, H. R. 1878, which would make this permanent legislation. For one reason or another, hearings were not held on the bill H. R. 1878, so a few weeks ago the committee was presented with the situation that this act was about to expire on March 4 or March 5, and the subcommittee and then the whole Committee on the Judiciary recommended that the act be extended for 4 years. This is the purpose of H. R. 4166.

Personally, I feel that we should have some permanent legislation on this subject, but I believe the present act should be rewritten and should be made a part of the permanent bankruptcy law. Many changes should be made in the basic law, I think everybody admits that. However, we did not have time to go into all of those proposed changes. Therefore, in order to get the law renewed so the modifications could be brought up later and the act could be rewritten, the committee merely recommends that it be extended for 4 years.

In addition to the renewal the changes provided by H. R. 4166 in the old act are, first, that the old act provided that the farmer pay $10 of the filing fee and that the remaining $15 be paid out of the Treasury of the United States, whereas this bill provides that the farmer pay the entire $25 of the filing fee.

The second amendment is that the present law provides for the payment of $5 per day to a supervising conciliation commissioner, and it was found to be very difficult to get people with real ability to work for $5 a day. The committee recommends that the conciliation commissioners be paid $10 a day for their services.

Then, Mr. Chairman, a dispute arose as to section 75 (a), which has to do with the number of conciliation commissioners and also whether or not they shall be lawyers. The old act provided that a good many more conciliation commissioners should be appointed than was provided for in the bill H. R. 4166. The gentleman from Ohio [Mr. RAMEY] in March 1943, introduced the bill H. R. 2329, which provided that the conciliation commissioners should have the same

qualifications as referees in bankruptcy, in other words, that they must be lawyers. It was pointed out to the committee by the sponsor of the legislation, the gentleman from North Dakota, that in some sections it was difficult to find men to serve as conciliation commissioners who had the qualifications of referees, in other words, who were lawyers. Therefore, the bill was written so that the conciliation commissioners need not have the qualifications of referees.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. KEFAUVER. Mr. Chairman, I yield myself 5 additional minutes.

The Senate Committee on the Judiciary has also been considering this matter. In view of the shortness of the time before the act expires, we decided it would be a good idea, if possible, to try to have the same amendments agreed upon by the House and the Senate so as to avoid conference and so as to pass the same bill here that the Senate would pass. Therefore the committee has agreed to and will submit these amendments to provide in the first section that the district court shall appoint not more than 20 persons in any one district, instead of "State," as is provided in the bill we are considering.

The committee will also submit an amendment to require that the conciliation commissioners have the same qualifications as referees in bankruptcy. The Senate is expected to pass it this way. While I am not entirely satisfied with the amendment, this will at least give us agreement until we can get the matter worked out.

Another amendment that will be submitted by the committee is to strike out the "4 years" in line 5, on page 2, and insert "2 years"; that is, "A conciliation commissioner's term of office shall be 4 years," is the wording in the bill, and the committee amendment will make that "2 years." The reason for this is that the Senate committee has recommended that the act be extended for only 2 years, and the Committee on the Judiciary will submit an amendment that the bill we pass will extend it for only 2 years.

As I said a few minutes ago, I think this legislation has accomplished a good purpose. It is true at this time that not many cases are being filed and that there may not be great present need for this act, but we do not know what the future may hold for the farmers. Certainly, if we are to have special legislation making it possible to reorganize railroads, municipalities, and other types of business, farmers should have some method of getting debts adjusted in the event they meet with hard luck and unfortunate situations beyond their control.

I think the basic purpose of the Frazier-Lemke Act is good, and I think the idea should be extended into permanent legislation. The author of the bill will agree, however, that many changes ought to be made in the law. It ought to be completely rewritten. I am sure the committee will be glad to give the author of the bill an early hearing on the matter of rewriting the law entirely and of getting it in better shape.

The bill as presented is not entirely satisfactory. Many improvements could be made in it, but we have to get the act renewed in order to have it before us so that we can grant hearings, go into the matter thoroughly, and get the legislation in better condition.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. As I understand, the bill has passed the Senate.

Mr. KEFAUVER. The bill has been reported out by the Committee on the Judiciary of the Senate, but I do not think it has passed the Senate.

Mr. AUGUST H. ANDRESEN. Is that bill identical with the bill reported by the House Committee on the Judiciary?

Mr. KEFAUVER. The bill recommended by the Senate committee is identical with the bill reported by the House Committee on the Judiciary after these proposed amendments have been made. We are trying to have it pass the Senate and pass the House in the same shape so as to avoid a conference.

Mr. REED of Illinois. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. HANCOCK].

Mr. HANCOCK. Mr. Chairman, this bill was not introduced until February 10. It is obvious that the Committee on the Judiciary has had insufficient time in which to give thorough study to it. We were further handicapped by the fact that the able chairman of the Subcommittee on Bankruptcy, the gentleman from Alabama, who has given this matter considerable attention, was taken seriously ill and moved to the hospital at about that time. The present law expires by its own terms on March 4 and we must act hurriedly if we are to act at all.

This bill is of no local interest to the people of my district. As far as I am able to ascertain, there has never been a proceeding brought under the Frazier-Lemke Act in the Thirty-fifth District of New York. I think that is true generally in the Eastern States. Nevertheless, I am convinced from conversation with my colleagues from some of the Western and Middle Western States, particularly North Dakota, Texas, Ohio, and California, that the Frazier-Lemke Act has been of incalculable value to the farmers of those sections, especially those who have suffered several years of continuous drought.

It is highly desirable and it is good, sound public policy that the farmers of this country remain in the possession of their own farms. The Frazier-Lemke Act is analogous, in a way, to the business reorganization laws. It attempts to protect the equities of the owners. The objective is to maintain the small farmers on their own lands and under their own management. They constitute the largest and most essential group among us, and there are no better Americans. It has accomplished that in thousands of instances.

There have been many abuses, and this law needs some very careful overhauling. In the State of North Dakota there have been a number of indictments and three convictions for corruption in connection with the administration of it. Some very bad practices have arisen. They should be eliminated if this law is ever made permanent, and I think the question of making it permanent is worthy of thought. However, before we even consider making it permanent law, the whole subject should be carefully studied by the Department of Justice, by farm organizations, by committees of referees, and by the judicial conference.

It is a big subject and an important subject. I am inclined to think that a law can be worked out and should be worked out to make the principle of the Frazier-Lemke Act permanent law.

You may be interested to know of some of the abuses that have crept in. In the State of North Dakota particularly there has grown up a thriving business among men who solicit cases under the Frazier-Lemke Act. A gentleman who recently confessed to the crime of concealing assets and of administering the Frazier-Lemke Act in a corrupt manner states his method of solicitation in this way. He is one of a great many; and I think his method is typical. He says:

> I was armed with tax lists and mortgage abstracts covering the territory in which I worked and approached the farm problems in a definite and businesslike manner. I asked the farmer approached if he owed much and if he could pay it. In all instances the farmer would reply that his debts were hopeless and that he never could pay them and that his children could not pay them if they were to shoulder them.

Having found a farmer in that situation, the solicitor would offer to scale down his debt for a fee. The standard fee, I believe, was $150. He then made a deal, probably champertous, with a lawyer who ordinarily charged $50, so the testimony goes, to attend to legal details. They put the man through the proceeding under section 75 of the Bankruptcy Act promising to reduce the debt materially. That that has been a flourishing business in North Dakota is indicated by the number of cases filed. In 1939, for example, the entire number of petitions filed in the whole country under the Frazier-Lemke Act was 1,969; 25 from North Dakota and 5 from its neighboring State, South Dakota.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. REED of Illinois. Mr. Chairman, I yield 5 additional minutes to the gentleman from New York.

Mr. HANCOCK. In 1940 there were 1,818 cases filed in the United States; 118 of which were filed in North Dakota and only 7 in South Dakota.

In 1941 there were 1,700 cases filed in the whole United States. Of this number 213 were in North Dakota as against 4 in South Dakota. In 1942 there were 1,547 cases filed in the whole country; 659 of which were in North Dakota and only 10 in South Dakota. That indicates that there is a racket which must be stopped. I may say in passing that the bar association of North Dakota is alive to the situation and has been instrumental in bringing indictments and criminal proceedings against a number of the most flagrant violators. Three

have been convicted and a number of others are to be tried.

I think it is interesting also to hear this man's testimony as to the method of making appraisals, which is one of the serious abuses. In many cases they were unconsionably low and a fraud on creditors. He says:

I know of appraisals made after dark. I know of appraisals made without going near the property. I know of appraisals made by conference miles away from the property.

Then another scandal, of course, is the concealment of assets. It is revealing to learn how that is done in North Dakota. Here is the testimony of this gentleman who plead guilty to a charge of corruption in connection with the administration of the act. He said:

For many years the farm income in North Dakota had been meager. The boys and girls who stayed home with their parents and worked on the farm had not been getting any remuneration for their work and not having any money with which to pay them, they had been allotted calves and pigs, cows and horses, and in some cases machinery.

That is the subterfuge by which the assets of the farmers were concealed, when there was not outright falsification of the farmer's schedules.

There is another aspect that I would like to call to your attention while I have the floor, indicating that all is not as it should be in our Federal agricultural agencies. He said:

May I add here that I observed in my contact with farmers * * * it was a practice of Federal agencies to suggest transfer of personal property after they received their claim or a compromise settlement even if it would destroy a claim of another Federal agency.

I even found that representatives of the Federal land bank had assisted farmers in transferring real estate to sons or daughters so that the seed and feed loan offices could not obtain payment of their claims which in some cases run into thousands of dollars by way of judgments.

I mention those things to call attention to abuses now being practiced and gradually corrected. They must be safeguarded against if permanent law is to be enacted for the protection of honest creditors and debtors and American taxpayers.

Mr. MICHENER. Mr. Chairman, will the gentleman yield at that point?

Mr. HANCOCK. I yield.

Mr. MICHENER. Mr. Chairman, I call attention to the fact that what the gentleman from New York has been reading is the confession made by the defendant who plead guilty and it is a statement taken from the court's record.

Mr. HANCOCK. That is right. It is the statement made by a gentleman by the name of Bergan, who recently plead guilty to charges of conspiracy to corruptly administer the Frazier-Lemke Act.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield.

Mr. KEFAUVER. I am sure the gentleman mentions these things not as being obstacles to the continuation of the act, but merely to illustrate that after it is renewed the whole matter should be gone into and the act should be rewritten so that these things will not occur.

Mr. HANCOCK. That is my point exactly; I intend to support this bill, and the continuance of the present legislation for a period of 2 years, not for a period of 4 years as the bill provides. There are a number of cases pending, three or four thousand. And there are others being filed every day. There are still distressed farmers who need relief from crushing debt. I am not willing to cut off this remedy overnight, but before this extension begins and before it becomes permanent law, these defects must be considered and corrected. In the meantime, as I stated a moment ago, the bar association of North Dakota is on the alert and many abuses have been reduced, if not eliminated entirely.

I think it will be a great mistake to extend the life of the Frazier-Lemke Act for 4 years. Two years is ample. In the meantime the whole subject should receive a very thorough and complete study by competent authorities.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. REED of New York. Mr. Chairman, I yield 1 additional minute to the gentleman from New York.

Mr. KEFAUVER. Mr. Chairman, I yield the gentleman from New York 3 additional minutes.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield.

Mr. DONDERO. Can the gentleman inform the House as to what the cost of the administration of this measure would be?

Mr. HANCOCK. We have not any figures as to the net cost of operation under the present act, but it cannot be very excessive because every time the farmer files a petition he must pay a fee of $25.

Mr. DONDERO. I agree with the gentleman.

Mr. HANCOCK. It is now $10, but the filing fee is increased to $25 by the bill. I think the cost will be negligible.

Mr. DONDERO. I agree with the gentleman that this ought not to be extended for more than 2 years.

Mr. HANCOCK. I think at the outside that should be the limit.

Mr. J. LEROY JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield.

Mr. J. LEROY JOHNSON. I wish the gentleman would tell us a little more about how this law is administered. In practice has it worked out this way, that only few parts of the country use the law? I notice that you read North Dakota had 215 cases. That is one of the smallest States in population in the Union; and South Dakota had only 6. What is the reason for that?

Mr. HANCOCK. The partial explanation is the activity of the solicitors I have mentioned and perhaps an equally important or more important consideration is the fact that North Dakota has suffered from 7 or 8 years of bad crops or no crops at all and has probably been the most unfortunate State in the Union in that regard.

Mr. J. LEROY JOHNSON. Outside of this isolated case, it is uniformly taken advantage of in all the States?

Mr. HANCOCK. Well, we have just heard the gentleman from Iowa [Mr. CUNNINGHAM] state that this act has been of great value to the farmers of his section. The gentleman from California [Mr. PHILLIPS] stated that it had been very useful to his farmers. In personal conversations many Members have told me they feel the act is valuable and should not be terminated, at least without improving amendments and further study.

Someone asked about the cost a moment ago. The fees paid to conciliation commissioners amounted to $40,990 in 1942, and the compensation paid to supervising conciliation commissioners amounted to $30,654.75. The expenses of supervising conciliation commissioners amounted to $4,721.28. That is a total of $76,366.03. As against that we have the fees paid by farmers when they file their petitions. What that amounts to, I do not know, but it must be a considerable amount in view of the number of petitions we know have been filed.

Mr. Chairman, I yield back the balance of my time.

Mr. KEFAUVER. Mr. Chairman, I yield 10 minutes to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE. Mr. Chairman, this is a good piece of legislation. It is one of the best pieces of legislation this Congress has an opportunity to pass. We are reenacting the Frazier-Lemke bankruptcy laws as applied to agriculture. Agriculture is one of our basic industries. It is our greatest basic industry. We are told that 30 percent of the people of the United States are directly dependent upon agriculture for their livelihood. If the farmer has a bad year and does not receive the cost of production, then he finds himself in financial distress. I am very much impressed with the conditions that have obtained in this country and the factors that have contributed to the financial depression that have caused the Congress to adopt so many financial expedients in trying to correct a situation that legislation of this kind would automatically correct at its source.

I was very much interested in going through the wonderful Red River Valley in the State of North Dakota to note that most of the farms are owned and operated by the big insurance companies of this country. They have foreclosed on those farms, and now we have land tenancy as a result of those foreclosures. I want to say in support of this legislation that one farmer who is retained on his farm by this legislation is worth 10 farmers who have been rehabilitated by the different agencies set up by this Government at so much expense to the taxpayers. We have the Farm Security Administration, we have many different agencies and dozens of other Federal agencies, created to lend money to the farmers. Always the interest feature figure is included.

In this bill we have a plan whereby we can keep the farmers on the farms. The farmer has learned the crop conditions and knows how to farm in his district and is one of the most valuable assets to the agricultural community.

In reviewing the situation that brought about the conditions that caused so many foreclosures back in the depression years in the early thirties, it has been very interesting to note the change that overtook this country, especially in dealing with agriculture, and profiteering at the expense of the farmer. I remember when prices were normally adjusted, when it took about so much grain to buy a wagon or so much corn to buy a harvester, and livestock and farm products of all kinds were at normal prices. The farming industry was fairly prosperous. Then the World War came on. We had an elimination of competition in the manufacturing industry and the big companies took advantage of conditions to raise the price of the things the farmer had to have. I can remember when we bought a J. I. Case plow for $14. Then the war came and the price of that same plow went to $28—just double. I remember when we could buy a mowing machine for $40. Then the war came on and the price of that mowing machine went to $110 in my State.

I always had my heart set on buying an 8-foot McCormick binder. They were $175 out in our section. Now I would have to pay $350 for the same binder.

I remember I had my heart set on buying an 8-foot Superior grain drill at $60. I bought an 8-foot grain drill the other day, the same Superior drill, and what do you suppose I paid for it? Two hundred and forty dollars. The price of the things the farmer had to buy went up while the things he raised to sell came down—and he could not pay his interest.

Those are some of the reasons for the passage of this bill. Everything in business has been regulated and operated to take advantage of the people engaged in the basic industries, and agriculture is our greatest basic industry. Not only has the farmer been penalized but other basic industries in their order, mining, lumbering, and fishing, everything has been run to take advantage of the people engaged in those basic industries.

Mr. RAMEY. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield briefly.

Mr. RAMEY. Can you advise us why it is practically impossible for the American farmer to buy machinery at all, whereas in Canada you can buy it practically at cost? I refer particularly to the Lake Erie Island situation, where Mystic Isle has been so crushed by the Department. For instance, at Put in Bay, North Bass and South Bass Islands, no machinery can be bought by those farmers whereas at Pelee Island, Ontario, they can buy American-made farm machinery at practically cost. Why is that discrimination made against American farmers?

Mr. WHITE. I am not familiar with that situation. I will say that the rationing plan of farm machinery may operate to bring about conditions to which the gentleman has referred. There is so much discrimination and so much partiality in distributing all kinds of machinery sent to foreign countries as against the farmers in this country, that I think it is a subject worthy of investigation by the Congress.

But I want to discuss the matter of the conditions which made this bill necessary. Back in the nineties when I was a boy out in the wilds of Idaho, when some youngsters came out to work in the railway office from back in Ohio and Indiana they would say "You know the farmers are prosperous in our State. When the bankers want to make a loan you will see the cashier get in a buggy and drive out to the homes of the farmers and discuss the policies of the banks because the farmers are the directors of the banks." But, when you go through Ohio and Indiana today you will not find any bank directors who are making their living off the farms, or many with bank accounts. What brought about that change? It is the things I have been telling you about. It is the advantage taken by these big manufacturing industries during the last war, when there was no competition, to establish high prices and stabilize them. We saw nails go from 5 cents a pound to 8 cents a pound in my State. We saw barbed wire go from $1.40 a roll to $5.50 a roll. We saw baling ties go from $1.75 a bundle of 250 ties to $3.50 a bundle. We saw binders go from $175 to $350 each. We saw everything go up. After the war was over and the farmer lost his market, those big manufacturers were able to hold their price levels. They piled up huge cash reserves, and they did not want Uncle Sam to take any share by income taxes, so they simply made stock dividends, which was good financing. The cash was there and by dividing up the stock you just had a share in those huge cash accumulations which they were piling up by profiteering at the expense of the basic industry, agriculture. Then what happened?

The farming industry was so impoverished that nobody would go into that business. The young people on the farms went to town and the speculators went into the stock market, creating a financial condition that the banks saw was getting dangerous, so they said, "We have got to stop this loaning of money to these speculators," and the banks decided they would curtail loans. However, the money from somewhere kept rolling into the market and stock prices kept going up. Then, finally, we were told by financial writers that the stock market was being supported by bootleg money. What did we find? We found that this money that was wrung from agriculture, that kept the farming industry at the point of insolvency, that had been poured into the market at high interest rates to carry on the speculative conditions—finally, when the crash came in 1929 and the farmer could no longer support the load and the factories all closed and people were thrown out of work, the money that had been wrung from the farmers had gone up in smoke. Money, robbed from the farmers, vanished and left everybody broke, and almost wrecked our national economy. If the Federal Trade Commission had come into play, if the law of supply and demand had been permitted to operate through competition, the farmer could have been kept solvent and basic industries would have supported our national economy and we would have avoided the condition that has made all of these expedients and this relief legislation necessary.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. REED of Illinois. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I am in full accord with all that has been said with respect to this measure by my distinguished colleague from New York [Mr. HANCOCK] who has already spoken on this measure. There is some question in my mind as to the necessity of this legislation at this time. Under the pending bill it is sought to extend the Frazier-Lemke Act for 4 years. However, as I understand, an amendment will be offered which will limit that extension to 2 years only. That amendment, if passed, will be very helpful to this bill and its final passage, I am certain.

There are some other things that I want to call to the attention of the membership with respect to the necessity of this proposed extension of the Frazier-Lemke Act at this particular time. The matter to which I refer has reference to the number of cases which have been pending in the past, and which have been filed within the last 6 months, or the first half of the current fiscal year. During the first 6 months from July 1 to December 31, 1943, there have been 172 new cases filed. Of that number, 172 cases, 90 of them were filed in North Dakota where the evidence has been presented to the membership respecting the racketeering which has been indulged in under this particular piece of legislation. The racketeering indulged in heretofore is subject to extreme condemnation. Men have been convicted because of their illegal operations under this law. Other criminal cases are yet pending.

One of the distinguished gentlemen from California asked a few moments ago as to the number of cases which had been filed, especially in the southern district of California. I may say to my friend that from July 1 to December 31, 1943, but 12 cases have been filed in the entire southern district of California, which embraces as I understand, a population of approximately three or four million people.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to my distinguished friend from California.

Mr. PHILLIPS. Very briefly I just wanted to remind the gentleman that we do not invoke the Frazier-Lemke Act; that that is an argument in favor of the Frazier-Lemke Act and not against it.

Mr. SPRINGER. I wish to thank the gentleman for that observation. However, if the people do not use it, except in very rare cases, then why the necessity of the law.

Another matter which I wish to call to the attention of the Members of the House is the question respecting the qualifications of conciliation commissioners. I happen to have served for approximately 5½ years as conciliation commissioner in the Federal district in

which I reside, and during that entire period of time I had but six cases referred to me as conciliation commissioner. I want to give my experience very briefly with respect to those particular cases which came to my especial attention. In three of the cases referred to me as conciliation commissioner, after the farmer had made his own inventory, as provided by law, and after the meeting of the creditors had been called and held, then the conciliation commissioner, under the law, is compelled to make an inventory of the property, and the law provides that he shall give some attention to the farmer's own inventory, and to any inventory which the creditors have made, but in these three instances, to which I refer, the men seeking relief were compelled to be brought into court and put under oath in order to try to ascertain and find some of the property which had been set forth in the creditors' inventory and some which had been set forth in the inventory made by the individual who filed the petition. In all six of those cases I found the farmers who sought relief under the law were individuals who had never made progress to any great extent in their business of farming. They had created debts, but they had not made any good-faith effort to meet and discharge them. They sought the relief afforded by the law to aid in discharging the debts which they had not in any manner attempted to pay.

Mr. Chairman, the matter to which I wish to direct the attention of the members of the committee is, we do not want to countenance fraud and racketeering under this law. The pending measure reduces the qualifications of conciliation commissioners, but I have been assured that these qualifications will be restored by amendment. My judgment is that lawyers only should serve in that capacity. If the qualifications of the commissioners to be appointed under this law are reduced, then I will vote against this extension of the law. These commissioners must be men of learning, honor, and integrity. The administration of this law, if here extended, must be placed upon a high plane. This law must be so administered as to protect those who are engaged in farming and who in good faith need protection, and not to aid those who would needlessly and recklessly become involved in debt, and who thereafter do not make any good faith effort to pay their creditors but seek to have the mantle of the law thrown about them to escape the payment of their just debts. It is my considered opinion that this entire law needs to be scrutinized and in the future rewritten, and the administration of it must be guarded with care and caution.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. BROWN of Ohio. Mr. Chairman, I yield 5 minutes to the gentleman from North Dakota [Mr. BURDICK.]

Mr. BURDICK. Mr. Chairman, I should like to hold this debate down to the thing before us. The thing before us is not the abuse of the law but whether or not the law is a good law to have on the statute books. The gentleman from Indiana said they had only six cases in his district in the last year. I know they have an arson law in his district and I know, too, that they have not had any prosecution under that law at all in the last 6 months. The very fact that the Frazier-Lemke Act is on the statute books is a means of preventing creditors from the early exercise of all their legal rights. There is not anyone arguing against the right under a contract; that was settled by the courts of this country years ago; but this law tries to hold up proceedings until the farmer can get a chance to pay back. You know the situation in 1932 and 1933. In my section of the country wheat was selling for 34 cents a bushel, and I saw a sign down in South Dakota that read: "Oats, 6 cents a bushel; corn, 8 cents less."

Mr. GILCHRIST. Eight cents a bushel?

Mr. BURDICK. Eight cents less; that is what the sign said.

Mr. GILCHRIST. It was 8 cents a bushel in my county.

Mr. BURDICK. There is an historic background to this Frazier-Lemke Act. Do you not want these farmers to handle their business in a constitutional way? Or do you want a holiday association in every county of the country? I visited 53 farmers this summer in North Dakota who had either taken advantage of this Frazier-Lemke Act or had been supported by a holiday association and foreclosures were prevented by public consent and public opinion. Everyone of these 53 farmers had paid their obligations and had money in the bank.

It so often happens that creditors seeing they have a right to, desire to foreclose. If they would just wait a little, just take it easy, they would get their money and everybody else would get his money. Just because a few have been exploiting this law is no sign that you ought to be against the law. I think North Dakota is capable of handling her own situation.

I remember during the years from 1931 to 1940 in my section of the country there was not a thing green except the trees along the Missouri River; there was not a bunch of green grass within a hundred miles of where I live, not a bunch. Livestock in my country at that time was being kept alive only by food shipped in. How do you expect us to pay our obligations when we cannot get a crop and when we do get a crop wheat drops to 34 cents a bushel?

There was a reason for this law. The law ought to be continued. I will give you my experience. If you owe enough you are safe; if you owe a little you are not. When I owed $10,000 but had property worth $30,000, they knew I would have to pay. I never had any disposition not to pay because I am a descendant of a lot of those whittling Yankees of New England who do not know anything else except to pay their obligations. I inherited that one good quality.

But when I owed more than I was worth and my creditors knew it, I was called "Mr." and not molested. It took me just 24 years to pay these debts and I finished the job in January 1944. I was left alone, however, because I was hopelessly unable to pay except as I made the money monthly. The farmers in North Dakota are coming out of the sea of debt—their assets are more than those debts, but they need more time to work out. I am afraid that if this law is not renewed, that many farmers, who will finally pay out, will be the victims of forced liquidation.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. DONDERO. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended for 5 minutes.

The CHAIRMAN. The Chair reminds the gentleman that time on the minority side is under control of the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I yield 4 minutes to the gentleman from Nebraska [Mr. STEFAN].

(Mr. STEFAN asked and was given permisison to revise and extend his own remarks.)

Mr. STEFAN. Mr. Chairman, I favor the passage of this bill, the principal purpose of which is to extend for an additional period of 2 years the time within which petitions may be filed under the farm mortgage moratorium law.

Mr. Chairman, I came to Congress with the sound of bawling cattle and squealing hogs in my ears, cattle and hogs that were destroyed by thousands because there was no feed with which to keep them alive in spite of the fact that in some parts of our country and the world people were looking for something to eat. It was the age of the destruction of food. It was the time when farmers lost their homes.

I favor the extension of this law because it brought confidence to the farmers in my State, confidence perhaps that Congress was interetsed in the family-sized farm and interested in having farm families stay on the farms and eventually own homes.

I believe legislation like this has been very helpful and I am glad I have had the opportunity to support it and other pieces of legislation which have been of inestimable value to the farmers. Droughts may come to us again some day and there may again come times when this law will help farmers to keep their homes. We should keep the law on the statute books for times of emergency. We pray we will never again see the days which forced an exodus of farmers from their homes. So we must continue improving our farm legislation in order to give to the producers of our food the same opportunities that are enjoyed by industry and labor.

Mr. ROLPH. Mr. Chairman, will the gentleman yield?

Mr. STEFAN. I yield.

Mr. ROLPH. I wish to compliment the gentleman on his statement. The gentleman will recall that my colleague the gentleman from California [Mr. PHILLIPS] spoke about the interest of the agricultural districts of California in favor of this legislation. Coming from one of the great metropolitan districts of California, I want to say that the people in the cities of California are also

very much interested in the passage of this legislation. I shall vote for it.

Mr. STEFAN. I thank the gentleman for his support and contribution.

Mr. ALLEN of Illinois. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. GILCHRIST].

Mr. GILCHRIST. Mr. Chairman, it is very seldom I dare raise my voice here against my good friend the gentleman from North Dakota[Mr. BURDICK], but when he said our corn was selling for whatever he said it was selling for he did not tell you the whole story. I want to state my own experience. We live in a rather cold climate up there in Iowa; it snows and it sometimes gets below zero. Corn was so cheap that we burned it in our homes to keep warm instead of selling it down at the market and hauling back the coal. The bankruptcy law has done a great deal to remedy that condition. It is not doing so much now, but, even so, I want to see it continued for another 2 years.

Mr. Chairman, I yield back the balance of my time.

Mr. KEFAUVER. Mr. Chairman, may I inquire how the time stands?

The CHAIRMAN. The gentleman from Tennessee has 10 minutes remaining; the gentleman from Illinois, 5.

Mr. REED of Illinois. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. MURRAY].

(Mr. MURRAY of Wisconsin asked and was given permission to revise and extend his own remarks in the RECORD.)

[Mr. MURRAY of Wisconsin addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. KEFAUVER. Mr. Chairman, I yield the balance of my time to the gentleman from North Dakota [Mr. LEMKE].

(Mr. LEMKE asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. LEMKE. Mr. Chairman, some Members have said that there were not many cases in their State. I challenge the accuracy of those figures that have been given, but I shall not do so in detail at this time. I shall not question where they got them from. I presume they got them from official authority but that authority, I am satisfied, is not entirely correct. If there had been but very few cases in any particular State I would be interested if the Member would then tell us how many farm homes have been lost in that State because the farmers did not know enough to make use of this act and save their farms, or because you Members were negligent and silent and did not inform them that they had an opportunity to save their homes by using this act.

That is about the only reason that North Dakota had more than others; that is, the farmers in North Dakota are wide awake, they were informed, they know their business and they know how to protect themselves, otherwise they could not have existed during all the years of drought, grasshoppers, and low prices. They have been up against the real thing. In fact, we lost 119,000 of our population. That should settle the question as to why North Dakota has had more cases than some other States.

The former Secretary of Agriculture, Mr. WALLACE, testified before the Agricultural Committee when I was a member of that committee, some 3 years ago—so did Mr. Black of the Farm Credit Corporation—that in western North Dakota they had mortgages on their land amounting to twice what it was worth. That should give you some idea of the situation. There have been plenty of foreclosures elsewhere.

Mr. KEEFE. Will the gentleman yield?

Mr. LEMKE. I yield to the gentleman from Wisconsin.

Mr. KEEFE. There appears to be some objection to the gentleman's bill on the ground that the necessity for it is not now apparent in many sections of the country. Is it not true that even though the necessity for this bill is not now so apparent, no one can foretell just what the future holds; also that this bill has served a very salutary purpose in the period when it was necessary and it would be a grave mistake to take it off the statute books and fail to extend it now in face of the fact that no one can foresee what the situation may be in the post-war as affecting agriculture?

Mr. LEMKE. The gentleman is absolutely right. Many of us in our local communities consider everything according to our own locality. But the United States of America is a great Nation and there are some localities every year throughout the Nation in which whole counties are wiped out by drought, grasshoppers, or hailstorms. That was the case last year in my State when we had such an abundant crop, yet several counties were practically wiped out by hail. These farmers are now at the mercy of the mortgagees. They need the Frazier-Lemke Act.

Mr. KEEFE. Is it not a fact that in many States, such as the State of Wisconsin, which I have the honor to come from, they have legislated on the question of moratoriums and that many of the problems of the farmers have been handled in the local court under State laws which made it unnecessary for the farmers to go into the Federal court and apply for relief under the provisions of the Frazier-Lemke Act? This had a tendency, did it not, to cut down the number of applications for relief under the Frazier-Lemke Act?

Mr. LEMKE. The gentleman is correct. And in addition, in some States where there were only a few cases that situation was brought about because the local courts could not read English. They could not understand the Frazier-Lemke moratorium. They were too corporation minded. I appeared before the Supreme Court at least 18 or 20 times in such cases. The first time was in connection with the Virginia Wright case (*Wright* v. *Vinton*, 300 U. S. 440), in which I went to the Supreme Court. Then there was the Indiana Wright case (*Wright* v. *Union Central*, 311 U. S. 273, and *Wright* v. *Logan*, 315 U. S. 139), in which I represented the farmer with local counsel in the Supreme Court two or three times before we could get the local court to understand the English language. Then there was the Bartels case (*John Hancock* v. *Bartels*, 308 U. S. 180), from the great State of Texas, which was only one of a hundred that is filed in that State and hundreds that went up from there to the Supreme Court. Then there was the Borchard case (*Borchard* v. *Bank*, 310 U. S. 311), from California in which I appeared in the Supreme Court. Then there was the Adair case (*Adair* v. *Bank of California*, 303 U. S. 350), from California. There was the Wragg case from Alabama, then the Amelia Wright case from Illinois. In all of these cases the Supreme Court had to tell the lower court that the farmer had a right to redeem his property at its value and that was all the creditors are entitled to when there is a bankruptcy proceeding. A bankruptcy case is a financial wreck and you cannot get more than there is left of the wreck.

The trouble with my friends generally is they do not realize that because this act is not used in every case it nevertheless prevented hundreds of thousands of foreclosures.

I repeat, however, it is very essential and necessary because it has saved hundreds of thousands of homes from foreclosure where there would have been foreclosure, but for it.

Mr. CRAVENS. Will the gentleman yield?

Mr. LEMKE. I yield to the gentleman from Arkansas.

Mr. CRAVENS. Assuming there is no pressing need for this law, does the gentleman see any harm in having it on the books, and if it is not needed it will not be used, but, if it is needed it will be available to the farmers?

Mr. LEMKE. I absolutely agree with the gentleman. The situation is the same as with the Railroad Reorganization Act, which nobody has objected to, or the Corporation Reorganization Act, or even the Municipal Bankruptcy Act. Nobody objects to these, but every time we talk for 32,000,000 farmers, there are always some who say there is something wrong. I agree with my colleague the gentleman from North Dakota [Mr. BURDICK] that there may have been abuses of this law, but there have been abuses of the General Bankruptcy Act and there have been abuses in the Railroad Reorganization Act and in the Corporation Reorganization Act.

Why do my colleagues always try to pick on the little fellow, on the farmer? Is it because he is not sufficiently organized and because he has not the wherewith to make trips to Washington to present his grievance to different Members of Congress personally?

There are prosecutions in North Dakota. These cases are pending. There is a difference of opinion as to the cause of these prosecutions. Part of the press, at least, claims that they were frame-ups. They refer to them as terrorizing the farmers by the F. B. I. and the Federal land bank. I shall have something to say sometime about these prosecutions—whether it be persecution or prosecution—when the time comes and the courts have disposed of these cases. I refuse to be dragged into that while the cases are still pending.

Let me read you a letter from a supervising conciliation commissioner, Garfield R. Jones, of the United States District Court, Southern District of California. He writes:

When I saw Commissioner McDonald in Fresno last week, he advised me that he made a careful computation of a number of cases he had handled in which farmers were rehabilitated, and he gave me the figure of 87½ percent of the cases handled that were rehabilitated. Four or five years ago I made a similar statistical review of all the cases pending in the southern district of California—about 1,200 or 1,300.

These figures ought to be large enough to convince you that the law is being used. They are even larger than in North Dakota.

As I recall, at that time I figured out that over 80 percent of these proceedings were successful.

Now I feel very definitely that a good many of these people who are opposing section 75 are not aware of such results as these. Doubtless there have been instances of abuse here and there, but taking it by and large, the results have been very commendable.

I will read you just a short letter from the National Farmers Union, dated February 24, 1944:

The National Farmers Union urges renewal of the Frazier-Lemke Act as a necessary protection to hundreds of thousands of working farm families. The mere fact that the law is on the statute books as recourse for them will prevent mortgage holders from attempting to grab farms in a rising market for less than their value. Renewal will permit later consideration of amendments needed to strengthen the act. We urge adoption of H. R. 4166.

Right there I want to say that I introduced a bill over a year ago to correct some of these evils, but unfortunately it was not considered because of lack of time.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. LEMKE. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. In justice to the gentleman I think this statement should be made. The gentleman from New York [Mr. HANCOCK] pointed out that the bill we are now considering was introduced by the gentleman from North Dakota only on February 10, 1944. As the gentleman from North Dakota has just said, he introduced a bill on February 17, 1943, which was designed to make this permanent legislation and to cure some of the defects that are admitted to exist. I know the gentleman has in mind, if this act is extended, as I am sure it will be, introducing a bill to get some of the difficulties ironed out as quickly as possible.

Mr. LEMKE. I certainly will be glad to, and I will be glad to work with the Judiciary Committees of both the House and the Senate. There is no more reason to object to making this legislation permanent than there was to making permanent any other part of the Bankruptcy Act. If you are against all bankruptcy acts, all right, let us repeal them all, but do not single out the farmers. When he has become a financial wreck he is entitled to bankruptcy the same as the businessman.

May I state further that District No. 50, consisting of both mining and farming people has endorsed this bill and asked for this extension of time.

Now let us go a little further on the same proposition.

Any bankruptcy proceeding is a matter of salvage. Only a financial failure is a bankrupt—failure always precedes bankruptcy. When it comes to that, you are not concerned with profit or with interest, but with salvage—what you can save out of the wreck.

May I say further that Justice Parker of the Circuit Court of Appeals of North Carolina has stated that this bill has done more to conserve real estate values than any other act of Congress, or words to that effect.

There is nothing new about this law. Years ago the mortgagor was given 1 year in which to redeem after foreclosure. The Frazier-Lemke moratorium extends this time for 3 years. During this time the farmer pays the reasonable rental to the conciliation commissioner for taxes, upkeep and payments to the creditors.

The Frazier-Lemke moratorium simply extends the bankruptcy law to the farmer. It does not take any property from the creditors. It gives them all of the past earnings and accumulations of the debtor, his family and children. It does, however, prevent the creditors from taking their future earnings and accumulations. It gives to the farmer and his family a new start in life. No honest person can object to that.

The Frazier-Lemke moratorium is a conservation act. It conserves property and value. Nobody loses anything. At the end of 3 years, when the farmer redeems, he pays the then value of the property to the creditors. That is all they are entitled to. The agricultural wealth of this Nation can and will be preserved in the hands of those who created it—the farmers.

The CHAIRMAN. The time of the gentleman from North Dakota has expired. All time has expired.

The Clerk will read the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That sections 75 (a), 75 (b), and 75 (c) of the act of July 1, 1898, entitled "An act to establish a uniform system of bankruptcy throughout the United States", as amended, is amended to read as follows:

"SEC. 75. (a) Every United States district court of bankruptcy shall appoint not more than 20 persons in any 1 State to be known as conciliation commissioners. One such commissioner shall be appointed from each division or for the territory served by the city where terms of court are held. The court shall designate the territorial district of each such commissioner. A conciliation commissioner's term of office shall be 4 years, but he may be removed by the court if his services are no longer needed or for other cause. No individual shall be eligible to appointment as a conciliation commissioner unless he is a resident of the district, familiar with agricultural conditions therein and not engaged in the farm-mortgage business, the business of financing farmers or transactions in agricultural commodities, or the business of marketing or dealing in agricultural commodities or of furnishing agricultural supplies. In each judicial district the court may, if it finds it necessary or desirable, appoint a suitable person as a supervising conciliation commissioner. The supervising conciliation commissioner shall have such supervisory functions under this section as the court may by order specify.

"75. (b) Upon filing of any petition by a farmer under this section there shall be paid a fee of $25 to be transmitted to the clerk of the court and covered into the Treasury. The conciliation commisssioner shall receive as compensation for his services a fee of $25 for each case submitted to him, to be paid out of the Treasury when the conciliation commissioner completes the duties assigned to him by the court. A supervising conciliation commissioner shall receive, as compensation for his services, a per diem allowance to be fixed by the court, in an amount not in excess of $10 per day, together with subsistence and travel expenses in accordance with the law applicable to officers of the Department of Justice. Such compensation and expenses shall be paid out of the Treasury. If the creditors at any time desire supervision over the farming operations of a farmer, the cost of such supervision shall be borne by such creditors or by the farmer, as may be agreed upon by them, but in no instance shall the farmer be required to pay more than one-half of the cost of such supervision. Nothing contained in this section shall prevent a conciliation commissioner who supervises such farming operations from receiving such compensation therefor as may be so agreed upon. No fees, costs, or other charges shall be charged or taxed to any farmer or his creditors by any conciliation commissioner or with respect to any proceeding under this section, except as hereinbefore in this section provided. The conciliation commissioner may accept and avail himself of office space, equipment, and assistance furnished him by other Federal officials, or by any State, county, or other public officials. The Supreme Court is authorized to make such general orders as it may find necessary properly to govern the administration of the office of conciliation commissioner and proceedings under this section; but any district court of the United States may, for good cause shown and in the interests of justice, permit any such general order to be waived.

"75. (c) At any time prior to March 4, 1948, a petition may be filed by any farmer, stating that the farmer is insolvent or unable to meet his debts as they mature, and that it is desirable to effect a composition or an extension of time to pay his debts. The petition or answer of the farmer shall be accompanied by his schedules. The petition and answer shall be filed with the court, but shall, on request of the farmer or creditor, be received by the conciliation commissioner for the county in which the farmer resides and promptly transmitted by him to the clerk of the court for filing. If any such petition is filed, an order of adjudication shall not be entered except as provided hereinafter in this section."

With the following committee amendments:

Page 1, line 9, strike out "State" and insert "district."

Page 2, line 5, strike out "four" and insert "two."

Page 2, line 8, after "is", insert "eligible for appointment as referee and in addition."

Page 4, line 4, strike out "1948" and insert "1946."

The committee amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MURDOCK, Chairman of the Com-

mittee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 4166) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, pursuant to House Resolution 449, reported the same back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein letters and tables from the Department of Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

(Mr. SHAFER and Mr. MUNDT asked and were given permission to extend their own remarks in the RECORD.)

Mr. CLASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Springfield Republican.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two letters written to the R. F. C., and two replies.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two instances, in one to include an editorial from the Washington Post of yesterday, and in the other to include an address I delivered in New York on Sunday.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[The matter referred to appears in the Appendix.]

THE PENTAGON BUILDING PROJECT

The SPEAKER. Under a previous order of the House, the gentleman from Michigan [Mr. ENGEL] is recognized for 30 minutes.

Mr. ENGEL of Michigan. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a letter written by General Somervell to the gentleman from Missouri [Mr. CANNON], dated May 7, 1942, a letter written by the Under Secretary of War to me, dated February 25, 1944, and a letter written by Mr. MacDonald, commissioner of roads, dated February 22, 1944.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ENGEL of Michigan. Mr. Speaker, on October 1, 1942, I made a report and spoke on the floor of the House giving certain facts pertaining to the Pentagon Building project. The building at that time was incomplete. I now desire to make another report inasmuch as the project is practically complete. This report will necessarily contain some of the language, figures, and facts contained in my first report and will be a complete résumé of all the facts as far as I have them brought up to date.

FIRST NEW WAR DEPARTMENT BUILDING

Prior to the erection of the Pentagon Building, Congress authorized and there was built the first new War Department building, completed in 1941 at a cost of $9,504,441. A large apartment house said to be valued at $3,000,000 was wrecked to make room for this building. The building was located on Virginia Avenue not far from Constitution Avenue and was later found, according to Army officials, to be too small.

TEMPORARY BUILDING PROPOSED

At the beginning of the war emergency it was obvious that additional office space would be required to house war personnel. The War Department proposed that temporary buildings be erected at a cost of approximately $6,500,000; that such buildings would meet their requirements. These plans for some reason were later abandoned.

AUTHORIZATION AND APPROPRIATION FOR A NEW WAR DEPARTMENT BUILDING, NOW KNOWN AS THE PENTAGON BUILDING

On Tuesday, July 22, 1941, and subsequent thereto, the War Department officials including Brig. Gen. (now Lt. Gen.) Brehon B. Somervell, Chief of Supply, Brig. Gen. (now Maj. Gen.) Eugene Reybold, Chief of Engineers, Col. E. H. Householder and G. E. Bergstrom, architect, appeared before a joint meeting of the Deficiency Subcommittee and the War Department subcommittee of the Appropriations Committee and proposed a second new War Department building. The testimony, which I am quoting here together with a committee report, is in my judgment conclusive evidence that the committee was assured that the cost of this building with all appurtenances, roads, and so forth, would not exceed $35,000,000. While I was opposed to this building from the first, the joint subcommittees, basing their recommendation upon the testimony, brought out a report recommending that $35,000,000 be appropriated for the construction of this building, on the condition that a million dollars for paving a parking area be absorbed in the amount. This action was adopted by the full Appropriations Committee.

COMMITTEE REPORT

The Appropriations Committee acting on this recommendation submitted a report under date of July 24, 1941, which reads in part as follows:

The cost of the structure, including all incidental and appurtenant costs, is $35,000,000. The committee was advised that in addition to this sum, approximately $1,000,000 would be required for fill, grading, and paving a parking area for 10,000 automobiles. The committee has inserted a provision to require the cost of the parking area to be included within the $35,000,000.

The building would contain a gross area of 5,100,000 square feet. After deducting space devoted to corridors, cafeterias, files, etc., there would be available approximately 4,000,000 square feet of office space. It will house a personnel of 40,000.

One hundred square feet of net space per employee.

The report was adopted by the Congress and became, therefore, the action and mandate of the House of Representatives. Based on this report and argument that the cost would not exceed $35,000,000, this House voted the appropriation.

TESTIMONY UPON WHICH COMMITTEE BASED ITS REPORT

The committee based its report and recommendation, at least in part, upon the following testimony found on pages 504 and 505 of the committee hearings:

Mr. WOODRUM. What will be the cost?—

Of what is now the Pentagon Building—

General SOMERVELL. $35,000,000.

Mr. WOODRUM. Will that complete the project, covering everything, including the utilities?

General SOMERVELL. Yes, sir.

Mr. WOODRUM. Including the grading, sidewalks, streets, beautification, and so forth?

General SOMERVELL. Yes, sir. It does not include the parking area, which we have not been able to prepare estimates on.

Mr. LUDLOW. It includes the cost of the building complete, with the grading, sidewalks, and so forth?

General SOMERVELL. Yes, sir.

Continuing on page 508:

Mr. TABER. You say that you figure that 1,000,000 square feet of this would be for records and 4,000,000 for help?

General SOMERVELL. That is not quite correct, sir. There would be about a total of 5,100,000 gross, of which we figure about 4,000,000 for office space.

Mr. TABER. Four million for office space and the rest for records?

General SOMERVELL. And the rest would be machinery space, halls, and other auxiliary spaces.

On page 513 General Somervell testified:

Mr. WOODRUM. There has got to be some filling done there?

General SOMERVELL. There has got to be a considerable amount of filling. Probably some of that $35,000,000 can be squeezed in there. We will be glad to try that, on the understanding that you will permit us to come back.

Farm Mortgage Moratorium

SPEECH
OF
HON. REID F. MURRAY
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 29, 1944

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 4166) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

Mr. MURRAY of Wisconsin. Mr. Chairman, if this farming business and the history of what we have gone through in the 10 years between 1930 and 1940 has not done anything more, it should have taught every one of us as Members of this House the responsibility that we have to look ahead, not only to the end of the war but to the future, so far as agricultural legislation is concerned and the welfare of our country is concerned. A lot of these troubles that we have had could have been largely avoided if we had approached the problem in a proper manner. Though temporary in nature, this support program we hear so much about, in my opinion, will find a permanent place in the agricultural picture of the future. I say that for the reason that during the last few years we set up wages-and-hours legislation, to which everyone subscribes, for one great group of our society. We do not guarantee them a job but we do say the maximum hours they shall work and the minimum wages they may obtain. A support to agriculture can be on a comparable basis. Support prices cannot be too high for the reason you would accumulate surpluses that might be embarrassing, but we should look forward to some kind of a floor to give another great group of society something comparable to the wages-and-hours legislation that has been given to the laboring people of our country. The price of a loaf of bread is practically the same when wheat sells for 60 cents per bushel as when it sells for $1 a bushel.

In connection with this whole matter we are going to see, in my opinion, a more constructive approach toward farm cooperatives. More and more all of us can see that a farm cooperative is very comparable to a labor union and that one of the greatest assistances rendered by a farm cooperative is its ability to engage in collective bargaining as far as their own interests are concerned. A continuation of these discussions brought about by the Frazier-Lemke bill during the last 10 years has made us conscious of the opinion that the people in these communities want to see the real rural people stay on the land. This law has been implemented somewhat by State laws. It is rather disheartening to see a family of two or three generations on a piece of land lose the farm and then scatter all over the world. If the Frazier-Lemke bill has not done any more than keep a large number of these people on the farm, it has lived up to expectations. In my personal observation I have seen hundreds of people who were compelled to lose their farms. In 1939 more farms were foreclosed in Wisconsin than in any year in the history of the Federal land bank. We do not have to go back to 1932. We can come very much closer and take 1939. Most of us now present were here at that time.

In 1939 wheat sold for 54 cents. Now, there is not much difference between that and 34 cents except you get out of your misery quicker at 34 cents than you will at 54 cents. You will get brushed off anyway. That is what wheat averaged in 1939 before this war came along. After 10 or 15 years, regardless of party and with all the machinery and mechanics we had in trying to lift these prices, we did not make a very constructive approach. Now we are right in reverse. We see various agencies trying to use the same machinery and trying to hold prices down. It is a difficult thing in the face of additional production cost to keep agricultural prices or any other prices down.

Mr. STEFAN. Will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from Nebraska.

Mr. STEFAN. The gentleman is a great agricultural statistician. He has given a great deal of study to the farm question and I am very glad to hear him say something about a floor under the prices of farm products. Does the gentleman agree that if we had a floor under farm prices at the time we had this great depression in our agricultural economy we would not have had to have some of this legislation?

Mr. MURRAY of Wisconsin. We would not have had to have it.

Mr. STEFAN. Our fight for 10 years has been to get cost of production for the farmer plus a fair margin of profit. If we had had a floor under the prices of farm products we would not have the conditions that now exist. Does the gentleman agree with that?

Mr. MURRAY of Wisconsin. Yes. I want to call attention to Oklahoma last year. I am going out of my own State to show how these things can happen any place in the United States. In 1942 they planted 3,800,000 acres of wheat and they did the same in 1943. In 1942 they produced 57,000,000 bushels of wheat. In 1943 from the same acreage they only produced 31,000,000 bushels of wheat. This demonstrates that there are factors over which no one has control that must be taken into consideration. Floods, bugs, and dry weather caused this enormous decrease in production. Consumers have a right to expect food at a reasonable price, and the producers should be entitled to the same constructive legislation that is provided other groups of our society.

If interested you can find that the large acreage increase took place after World War No. 1. Wheat, as an example, has been in an embarrassing position ever since. Wool today is becoming embarrassing with the storage, imports, and domestic 1944 production in the picture. My observations lead me to believe that one of the greatest desires of labor is the assurance of permanent employment. My observation convinces me that the farmer is most interested in a fair, steady return for his product and realizes he is harmed by a feast or famine approach for his efforts.

The CHAIRMAN. The time of the gentleman has expired.

Gearhart Bill Would Make Japanese Say Where They Stand

EXTENSION OF REMARKS
OF
HON. BERTRAND W. GEARHART
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 29, 1944

Mr. GEARHART. Mr. Speaker, because an editorial expression from such influential journals as the Sacramento Bee, the Fresno Bee, and the Modesto Bee, McClatchy Publications, newspapers which are published and circulate widely in that section of California wherein resided, prior to the tragedy at Pearl Harbor, the bulk of our Japanese population, reflecting, as it does, the opinions of those who knew the Japanese best, is of especial importance at this particular time, I ask that an editorial which appeared in all three of these newspapers during the week of February 19, 1944, under the caption of "Bill would make Japanese say where they stand" may be reprinted in the CONGRESSIONAL RECORD as a part of my instant remarks.

The editorial, urging, as it does, the speedy enactment of the measure H. R. 4137, which I recently introduced, is the following:

BILL WOULD MAKE JAPANESE SAY WHERE THEY STAND

Pending in Congress is a bill by Representative B. W. GEARHART, of Fresno to require all American-born Japanese to take an oath swearing allegiance to the United States and forswearing loyalty to Japan and belief in the divinity of the Emperor.

Under provisions of the proposed law, all citizens of Japanese extraction would have to take the oath publicly in naturalization court or face the alternative of internment and deportation to Japan after the war.

The text of the oath is such that anyone sincerely taking it would have to sever himself from all loyalty to Japan, whether that loyalty was active or merely sentimental. For it states:

"I repudiate and deny any belief in the divine character or deific ancestry of the Emperor of Japan or in any divine mission of the Japanese people, the Emperor of Japan or the members of the Yamoto race, and, in this connection, I denounce and decry all such pretensions and assertions as absurd, ridiculous, unworthy of acceptance by any save those bereft of reason, and devoid of common sense."

While no doubt many Japanese of disloyal tendencies would be willing to take the oath with tongue in cheek, it would smoke out thousands of Emperor worshipers whom the wishy washy procedure of the War Relocation Authority has failed to uncover.

For a Japanese to denounce the deity of the Emperor and the divinity of the Japanese peo-

ple would be for him to lose face and become subject to the scorn of those who fervently believe in the holy mission of the descendants of the sun goddess.

When the W. R. A. circulated a questionnaire among the Japanese in the relocation centers asking them to swear loyalty to the United States and denounce allegiance to Japan, such a large proportion refused to do so that the W. R. A. quickly withdrew the question and merely required them to promise obediance to the laws of this country.

This either was a deliberate sleight of hand or revealed the W. R. A.'s abysmal ignorance of the Japanese, who are commanded by tradition and proverb to obey the laws of the country where they are, regardless of their heartfelt beliefs and loyalties.

It probably would be discovered that a surprisingly large number of American-born Japanese desire to go to the homeland of their parents.

For instance, Walter Imai, one of five Tule Lake Japanese brought into Federal court here last week on Federal liquor charges, asserted frankly that while he is American born he is willing to be sent to Japan.

Imai and those like him should be accommodated.

In America, either during the war or after, there is no place for those content to share in the benefits of this country while their loyalties and hearts are elsewhere.

GEARHART's bill certainly is a move in the proper direction.

Economic Insanity

EXTENSION OF REMARKS
OF
HON. ROY O. WOODRUFF
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 29, 1944

Mr. WOODRUFF of Michigan. Mr. Speaker, the mistaken concept held by many of the New Dealers, that it makes no difference how deeply this Nation goes into debt because, as our economic magicians claim, "we owe the debt to ourselves," apparently has released all restraints on Government projects to be paid for out of our tax dollars. An ever-increasing amount of Government obligations is piling up against you, against me, and against everybody else. Appropriations are being asked for, expenditures are authorized without considering whether the necessary means are available or in what way they may be obtained. If an individual assumes financial obligations, accumulates debts without any regard to his present or future earning capacity, you know where he inevitably ends; yet our New Deal economic magicians would have us believe they can work miracles and do things which every sensible citizen knows cannot be done. The Congress is being flooded with messages from the President and others urging the appropriation of even more billions of dollars for this, that, and the other purpose. Some of these are good purposes, which we all wish some day to see realized. Yet we know from our private lives, from our private experiences, that there are many good things we should like to do, that there are many purposes for which we should like to spend money, but which common prudence and just plain common sense decree we shall not.

It has been suggested that the Congress restrict its own freedom of action to the extent that no appropriation would be made without a corresponding measure to acquire the funds so appropriated. As it is, billions and billions of dollars are being asked for with the best intentions, but without any assurance that the required funds will be available. The result is that the public debt is mounting to fantastic heights while the printing press in Washington is working overtime pouring ever more fresh dollar bills into circulation and continued inflation results.

It is interesting to notice how our New Dealers slowly, indeed very slowly, let us in on what is in store for us. It is not so long ago that the public debt was discussed on the basis of accumulated obligations at the end of the war of some $200,000,000,000. Then it got to be two hundred and fifty billions; and now in a recent magazine article Harry Hopkins—good old irrepressible Harry—tells us it may be three hundred billions. At the rate we are going, it may not be two hundred; it may not be two hundred and fifty, nor $300,000,000,000. The public debt—your debt and my debt—at the end of the war, and—of course, we have to include in the war the period of demobilization and readjustment to a peacetime economy—undoubtedly will be very much more than any of these figures would indicate. Just how much more will, of course, depend on how many years it will still require to finish the job, and, in the meantime, how carefully we scrutinize and expend every dollar of the American people. In the same article to which I referred a few moments ago, Mr. Hopkins also tells us that we are the richest Nation in the world, because we have, during this war, saved up an incredible number of billions of dollars. What an incredible viewpoint. All the savings of this Nation have been exploded, sunk, or given away to doubtful friends all over the globe. If we want our savings back some day, even without interest, we shall have to pay a like amount into the Treasury once more in order that there be the money with which to pay. Unfortunately, miracles do not happen, despite the hocus-pocus of our New Deal economists.

The Congress is now being asked to appropriate huge sums for an international organization created by our Government and subscribed to by the so-called United Nations. It is no secret, however, that a number of these United Nations, even those who would be the alleged beneficiaries of this activity, signed the agreement with the minimum of enthusiasm. I am afraid they do not believe in the expressed noble intention of the framers of the plan. I can think of nothing more unfortunate than if there should develop any justification of the suspicions that we, perhaps in association with a very few of our particular national intimates, are trying to serve our private interests under a cloak of philanthropy. Furthermore, it would indeed be disgusting if the plain duty of every man to love his neighbor, and to act accordingly, were being exploited to serve political ends, war propaganda, or other international questionable purposes. The United Nations Relief and Rehabilitation Administration, or the U. N. R. R. A., as it is going to be called, as indicated in the name, has two functions—to bring relief, and to organize rehabilitation. I should like to know how much of the money we will be asked to appropriate will be used for relief and how much for rehabilitation. No one doubts that the sufferings and the misery in this world as a result of the war will assume hitherto unknown proportions.

There is no doubt that every one of us will be faced with a veritable storm of demands to come to the aid of our distressed neighbors in all other parts of the world. Perhaps many of these distressed neighbors will be right here at home, and not necessarily in far distant lands. In response to a general and world-wide wish that those who suffer shall be helped to help themselves a great organization has grown up. I refer to that magnificent organization we all admire, the International Red Cross, and the American Red Cross in particular. Many other organizations have been moved by religious or philanthropic considerations to organize help to suffering humanity. To mention only one of the many, I refer to such humanitarian activities as those of the Friends. Now, believe it or not, the agreement establishing the U. N. R. R. A., in article 55, contains this amazing provision; I quote:

> Foreign voluntary relief agencies may not engage in activity in any area receiving relief from the Administration without the consent and unless subject to the regulation of the Director General.

Here we see a political organization trying to assume a monopoly on the right to help people in distress. Is it strange that suspicion has been aroused? Do these people who try to establish a monopoly for themselves to help people in distress have other purposes in mind than the Christian one of helping the unfortunate? Are there political or economic interests involved rather than humanitarian considerations? If so, are these political and economic interests, those of the American people thus justifying the expenditures of vast billions of our money? Moreover, does this Nation want to secure political or economic advantages under the false pretenses of nobly bringing relief to people in need?

The second activity of the U. N. R. R. A. is supposed to be rehabilitation. There is no doubt that all nations involved in this terrible war shall need to be rehabilitated. This country will be no exception. Now what exactly are we planning to do in the line of rehabilitation, and why should we spend our money on putting foreign industries back into shape and creating others while trying to make our own industries over to peacetime production? What are we trying to do or planning to do? Are we going to dump our surpluses? Are we

are learning to cook. Boards of education arrange instruction classes for them in the art of preparing such food as they have. Finally, little Princess Elizabeth, royal debutante though she is, has had only one new dress this winter. She has no coupons left for another.

If there is ever a time for us to count our blessings, this surely is it. To enumerate them will at least relieve the gloom of brooding over unobtainable pipe cleaners, pot scratchers, dipped chocolates, and nylon stockings. Some of our blessings would indeed make fine subjects of discussion when neighbors meet. Coffee, for instance. True, there is little heavy cream to go with it. Still we have all the coffee we can drink, and a Brazil dispatch in the same paper that reports the privations of the British assures us of more coffee coming, shiploads of it.

For a change why not forget butter now and then and talk about coffee instead?

ADDRESS BY SENATOR CHANDLER AT MEETING OF WESTERN MINING WAR CONFERENCE

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an address delivered by Senator CHANDLER before the Western Mining War Conference, at joint meeting of Colorado Mining Association and Western Division American Mining Congress, Denver, Colo., on January 29, 1944, which appears in the Appendix.]

JACKSON DAY ADDRESS BY PAUL V. McNUTT

[Mr. JACKSON asked and obtained leave to have printed in the RECORD the address delivered by Hon. Paul V. McNutt, Chairman of the War Manpower Commission, at the Jackson Day Dinner, Des Moines, Iowa, February 26, 1944, which appears in the Appendix.]

USE OF CIVILIAN FLYING SCHOOLS—ADDRESS BY R. McLEAN STEWART

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD an address on the subject of use of civilian flying schools in aviation training for war and peace, delivered by R. McLean Stewart, executive director of training C. A. A., at Oklahoma City, Okla., January 28, 1944, which appears in the Appendix.]

THE AMERICAN RED CROSS—STATEMENT BY MISS MABEL BOARDMAN

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a statement concerning the American Red Cross, made by Miss Mabel Boardman, and published in the Washington Post of March 1, 1944, which appears in the Appendix.]

THE NATION'S FISHERY RESOURCES—ADDRESS BY CHARLES E. JACKSON

[Mr. BAILEY asked and obtained leave to have printed in the RECORD an address by Charles E. Jackson, Assistant Deputy Coordinator of Fisheries, delivered before the Consultants of the Office of the Coordinator of Fisheries on February 3, 1944, which appears in the Appendix.]

ISSUES FOR CONSIDERATION IN THE 1944 PRESIDENTIAL ELECTION — STATEMENT BY WILLIAM L. HUTCHESON

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD a statement by William L. Hutcheson, general president of the United Brotherhood of Carpenters and Joiners of America and vice president of the American Federation of Labor, giving his views of issues for consideration in the 1944 Presidential election, which appears in the Appendix.]

MICA WEALTH OF NEW ENGLAND—ARTICLE FROM THE BOSTON HERALD

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article entitled "Mica Wealth of New England Has Been Strangled," written by Bill Cunningham, and published in the Boston Herald of February 20, 1944, which appears in the Appendix.]

FREE ENTERPRISE—EDITORIAL FROM THE ST. PETERSBURG (FLA.) TIMES

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an editorial entitled "What Is 'Free Enterprise'?—A Florida Senator's Answer," published in the St. Petersburg (Fla.) Times of February 27, 1944, which appears in the Appendix.]

AMERICAN PRISONERS OF WAR IN JAPAN

[Mr. O'DANIEL asked and obtained leave to have printed in the RECORD a letter addressed to him by Mrs. Merle Clark, president of the Lost Battalion Club, of Abilene, Tex., relative to American prisoners of war in Japanese camps, and his reply thereto, which appear in the Appendix.]

BRUMIDI IN DISTRICT OF COLUMBIA ROOM—POEM BY H. C. CARLISLE

[Mr. BILBO asked and obtained leave to have printed in the RECORD a poem entitled "Brumidi in District of Columbia Room," written by Horace C. Carlisle, which appears in the Appendix.]

A PROGRAM FOR THE RURAL SOUTH AFTER THE WAR

[Mr. LANGER asked and obtained leave to have printed in the RECORD a program for the rural South after the war, prepared by the general office of the Southern Tenant Farmers Union, Memphis, Tenn., which appears in the Appendix.]

FARM-MORTGAGE-MORATORIUM LAW

Mr. McCARRAN. Mr. President, there has just been messaged over from the House H. R. 4166, a bill to extend the life of what is known as the Frazier-Lemke Act. The message and bill are now on the desk.

Senate bill 1722 was dealt with by the Committee on the Judiciary during the past week. It is also a bill to extend the life of the Frazier-Lemke Act, and is identical with the bill which passed the House and is now on the clerk's desk, except for one word, that is, in line 5, on page 2 of the House bill, the word "four" is changed to "two."

I now ask unanimous consent that the House bill be taken up and considered and passed. The reason for the request is that tomorrow the 4th of March, I am advised, the Frazier-Lemke Act as it now exists will expire. It is the desire of both Houses of Congress that the principle and spirit of that act be extended for 2 additional years.

I therefore ask unanimous consent that the Senate now proceed to the consideration of House bill 4166, and that it be placed on its third reading and final passage, and that Senate bill 1722 be indefinitely postponed.

Mr. HATCH. Mr. President, I merely wish to say that the distinguished Senator has correctly stated the situation as I understand it to be. I further understand that there is no controversy whatsoever concerning the bill. It is really necessary that the Senate act today, and under the circumstances as stated I think the bill should now be passed.

Mr. DANAHER. Mr. President, as a member of the subcommittee which considered the proposed legislation during the past week, and as a member of the Committee on the Judiciary which has agreed to the action of the subcommittee unanimously, I concur with the Senator from Nevada in his request. I believe that the emergency justifies immediate action.

The VICE PRESIDENT. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 4166) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, was read twice by its title.

The VICE PRESIDENT. Is there objection to the request of the Senator from Nevada that the Senate proceed to the consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, Senate bill 1722 will be indefinitely postponed.

Mr. DANAHER. Mr. President, I ask unanimous consent that there be printed in the RECORD the report of the House Committee on the Judiciary accompanying House bill 4166.

There being no objection, the report (No. 1127) was ordered to be printed in the RECORD, as follows:

The Committee on the Judiciary, to whom was referred the bill (H. R. 4166) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The principal purpose of the bill is to extend for an additional period of 4 years the time within which petitions may be filed under the farm-mortgage-moratorium law. An extension of the law was made in 1940 for a period of 4 years (Public Law, 423, 76th Cong., approved Mar. 4, 1940).

GENERAL STATEMENT

Section 75 of the National Bankruptcy Act was enacted into law in 1933. It was designed to relieve distressed farmers who were in default in their farm mortgages and to relieve agriculture from the effects of the deflation in land values resulting from the depression. Subsection (s) of the act was enacted in 1934. It permitted a scaling of secured debts and an extension of same by agreement. Failing agreement, it gave to the farmer an absolute stay, the right of retention of the mortgaged property during the stay period, and permission to repurchase the property at an appraised value. By its terms the act expired on March 3, 1938. Subsection (s) of the act was declared unconstitutional by the Supreme Court in 1935, and the law was amended to overcome the objections pointed out in the decision of the case of *Louisville Joint Stock Land Bank* v. *Radford* (295 U. S. 555). Subsection (s) was reenacted in amended form in the Seventy-fourth Congress. The Supreme Court in the case of *Wright* v. *Vinton Branch Bank* (300 U. S. 440), decided March 29, 1937, declared the amended subsection (s) to be constitutional. In 1938 the Congress amended the act (1) by providing for the reinstatement of cases arising under the act which had been dismissed on the erroneous assumption or holding that subsection (s) was unconstitutional, and (2) by modifying the provisions of the act affecting the time and the amount of payment of compensation to conciliation commissioners. At the same time Congress extended the act until March 4, 1940.

CASES UNDER THE ACT

From statistics furnished the committee by the Administrative Office of the United States courts, in the fiscal year 1943, extending from July 1, 1942, to June 30, 1943, 892 cases were filed under section 75 of the Bankruptcy Act, and 1,451 were terminated, and the number of cases pending was reduced from 4,680 at the beginning of the year to 4,121 at the close. Of the 892 cases filed, 471 were filed in the district of North Dakota, and the only other districts in which 20 or more cases were filed were the western district of North Carolina with 20, the eastern district of Missouri with 36, the northern district of California with 21, and the southern district of California with 33.

The number of cases filed in the first half of the current fiscal year, extending from July 1 to December 31, 1943, was 172. If the same rate is continued throughout the year, the number filed will be 344, as compared with 892 in the previous year, or less than half. The number of cases terminated in the first half of the present fiscal year was 547, as compared with 172 filed, so that the number of cases pending on July 1, 1943, of 4,121, was reduced to 3,746 on December 31, 1943.

In the first half of the current year the only districts in which 10 or more cases were filed were the district of North Dakota with 90, and the southern district of California with 12. In many districts no cases were filed. If the rate of filing in the district of North Dakota for the first half of the current fiscal year continues throughout the second half, the number of cases filed in that district in the year will be 180, as compared with 471 in the previous fiscal year, a decrease of more than half.

While the statistics set forth demonstrate a very sharp decline in the use of the statute, it is still substantial benefit in some localities and may be of greater benefit after the war. Proponents of the legislation have urged upon the committee the desirability of making the law a permanent one, but the committee maintains the position which it has heretofore taken that it should not recommend the act be made a permanent part of the bankruptcy statute. The committee gave consideration to the fact of our engagement in war and the thought that the existing law may be of further use and benefit, and therefore recommends an extension of the law for a 4-year period.

PROVISIONS OF THE BILL

Subsection (a) of section 75 has to do with conciliation commissioners, who administer the law. Present law requires the appointment of a conciliation commissioner for every county having 500 farmers, according to the latest census. It requires that an individual, in order to be eligible for appointment as a conciliation commissioner must be qualified to be a referee in bankruptcy. This means that he must, first, be a member in good standing of the bar of the district court of the United States in which he is appointed; second, that he shall not hold any office of profit or emolument under the laws of the United States or of any State, other than commissioner of deeds, justice of the peace, master in chancery, or notary public; and third, that he be not a relative of any of the judges of the courts of bankruptcy or of the justices or judges of the appellate courts of the district wherein he is appointed. It is required further that he be a resident of the county, familiar with agricultural conditions therein, and that he be not engaged in the farm-mortgage business, the business of financing farms, or transactions in agricultural commodities, or the business of marketing or dealing in agricultural commodities, or furnishing agricultural supplies.

It has been found impossible in many instances to execute this section of the present law because in some agricultural counties there can be found no person at all who meets all the qualifications of those specified, and in many others there can be found no qualified person who is willing to undertake the arduous and lengthy labor required of a conciliation commissioner for the small compensation allowed by the law of $25 per case.

In the Seventy-seventh Congress the House passed a bill with respect to appointment of conciliation commissioners (H. R. 7356) in an effort to improve the conditions, however, no action was taken on the measure in the Senate.

Under the provisions of the present bill the district courts may appoint not more than 20 persons in any 1 State to be known as conciliation commissioners. Obviously in many districts where there are no cases under this section of the law there will be no persons appointed. Present law, as stated above, provides for the appointment of 1 or more conciliation commissioners for every county having 500 or more farmers. The term of the commissioner is increased from 1 year to 4 years. He may, however, as under present law, be removed by the court if his services are no longer needed, or for other cause. The requirement that a conciliation commissioner have the qualifications of a referee in bankruptcy has been eliminated in order that the court will not be too strictly limited in its selection of the best immediately available person to serve.

Subsection (b) changes the law to require the farmer upon filing a petition to pay a fee of $25 in lieu of $10 as at present. The entire $25 fee to the conciliation commissioner will thereby be paid by the farmer filing a petition.

The per diem allowance to supervising conciliation commissioners is increased from a present maximum of $5 per day to $10. Following are figures submitted by the Administrative Office of the United States Courts relative to amounts paid to conciliation commissioners:

Fiscal year 1942	
Fees paid to conciliation commissioners	$40,990.00
Compensation paid to supervising conciliation commissioners	30,654.75
Expenses of supervising conciliation commissioners	4,721.28
Total	76,366.03
Fiscal year 1943	
Fees paid to conciliation commissioners	$28,996.00
Compensation paid to supervising conciliation commissioners	31,049.60
Expenses of supervising conciliation commissioners	3,493.08
Total	63,538.68
Less amount received by Government from $10 fee paid by persons filing petitions	14,510.00
Net cost to Government of section 75 cases terminated in fiscal year 1943	49,028.68
Number of cases terminated in fiscal year 1943	1,451
Cost per case	$33.78

Subsection (c) is the present law except that the date has been extended from March 4, 1944, to March 4, 1948.

CHANGES IN EXISTING LAW

In compliance with clause 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

"SEC. 75. (a) [Within 30 days after June 7, 1934, every court of bankruptcy of which the jurisdiction or territory includes a county or counties having an agricultural population (according to the last available United States census) of 500 or more farmers] *Every United States district court of bankruptcy* shall appoint *not more than 20 persons in any 1 State* [one or more referees] to be known as 'conciliation commissioners,' [one such conciliation commissioner to be appointed for each county having an agricultural population of 500 or more farmers according to said census: *Provided further,* That where any county in any such district contains a smaller number of farmers according to said census, for the purposes of this paragraph such county shall be included with one or more adjacent counties where the population of the counties so combined includes 500 or more farmers, according to said census. In case more than 1 conciliation commissioner is appointed for a county, each commissioner shall act separately and shall have such territorial jurisdiction within the county as the court shall specify.] *One such commissioner shall be appointed from each division or for the territory served by the city where terms of court are held. The court shall designate the territorial district of each such commissioner. A conciliation commissioner's term of office shall be 4 years, but he may be removed by the court if his services are no longer needed or for other cause.* [A conciliation commissioner shall have a term of office of 1 year and may be removed by the court if his services are no longer needed or for other cause.] No individual shall be eligible to appointment as a conciliation commissioner unless he [is eligible for appointment as a referee and in addition] is a resident of the [county] *district,* familiar with agricultural conditions therein and not engaged in the farm-mortgage business, the business of financing farmers or transactions in agricultural commodities or the business of marketing or dealing in agricultural commodities or of furnishing agricultural supplies. In each judicial district the court may, if it finds it necessary or desirable, appoint a suitable person as a supervising conciliation commissioner. The supervising conciliation commissioner shall have such supervisory functions under this section as the court may by order specify.

"(b) Upon filing of any petition by a farmer under this section there shall be paid a fee of [$10.] *$25* to be transmitted to the clerk of the court and covered into the Treasury. The conciliation commissioner shall receive as compensation for his services, a fee of $25 for each case submitted to him [when a composition or extension proposal has been effected and confirmed, or $10 in each case submitted to him in which there is no confirmation,] to be paid out of the Treasury [upon final disposition of each case] *when the conciliation commissioner completes the duties assigned to him by the court.* A supervising conciliation commissioner shall receive, as compensation for his services, a per diem allowance to be fixed by the court, in an amount not in excess of [$5] *$10* per day, together with subsistence and travel expenses in accordance with the law applicable to officers of the Department of Justice. Such compensation and expenses shall be paid out of the Treasury. If the creditors at any time desire supervision over the farming operations of a farmer, the cost of such supervision shall be borne by such creditors or by the farmer, as may be agreed upon by them, but in no instance shall the farmer be required to pay more than one-half of the cost of such supervision. Nothing contained in this section shall prevent a conciliation commissioner who supervises such farming operations from receiving such compensation therefor as may be so agreed upon. No fees, costs, or other charges shall be charged or taxed to any farmer or his creditors by any conciliation commissioner or

with respect to any proceeding under this section, except as hereinbefore in this section provided. The conciliation commissioner may accept and avail himself of office space, equipment, and assistance furnished him by other Federal officials, or by any State, county, or other public officials. The Supreme Court is authorized to make such general orders as it may find necessary properly to govern the administration of the office of conciliation commissioner and proceedings under this section; but any district court of the United States may, for good cause shown and in the interests of justice, permit any such general order to be waived.

"(c) At any time prior to March 4, [1944] *1948*, a petition may be filed by any farmer, stating that the farmer is insolvent or unable to meet his debts as they mature, and that it is desirable to effect a composition or an extension of time to pay his debts. The petition or answer of the farmer shall be accompanied by his schedules. The petition and answer shall be filed with the court, but shall, on request of the farmer or creditor, be received by the conciliation commissioner for the county in which the farmer resides and promptly transmitted by him to the clerk of the court for filing. If any such petition is filed, an order of adjudication shall not be entered except as provided hereinafter in this section."

ANNUAL SALARY BASIS FOR FOURTH-CLASS POSTMASTERS

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 324) to place postmasters at fourth-class post offices on an annual-salary basis, and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McKELLAR. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. McKELLAR, Mr. HAYDEN, Mr. CHAVEZ, Mr. LANGER, and Mr. BUCK conferees on the part of the Senate.

INCREASED COMPENSATION TO SUBSTITUTE EMPLOYEES IN THE POSTAL SERVICE

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 2836) to grant increases in compensation to substitute employees in the Postal Service, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McKELLAR. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. McKELLAR, Mr. HAYDEN, Mr. CHAVEZ, Mr. LANGER, and Mr. BUCK conferees on the part of the Senate.

THE POSTAL WORKERS

Mrs. CARAWAY. Mr. President, I wish to speak briefly about a great group of Government employees who deserve the attention of the Congress. I refer to the postal workers of the Nation. They have made a fine record, not only in peacetime but in war as well. They have done their part and more by every standard that can be applied to them.

There are pending in the Congress for their benefit a number of bills which I think should be given prompt and sympathetic attention. The Senate recently passed a bill to aid the 25,000 postmasters in fourth-class offices. Their compensation ranges from a few dollars annually to a maximum of $1,100, depending upon the business of their respective offices. I really preferred the House bill over the one the Senate amended and passed. All postmasters, not only in the fourth-class but other grades, have had additional work placed upon them.

Overburdened by the growing demands of wartime, they have absorbed the added tasks without complaint and without asking additional help during the period of manpower shortage. The volume of mail transported and delivered has risen by about 4,000,000,000 pieces, or nearly 15 percent, in the last 2 years. Yet there has been practically no change in the number of employees in the Postal Service. The extra tasks have been performed by this faithful group, working longer and harder hours, without diverting manpower from our war industries.

They have done more than merely absorb extra work; they have actually sent 32,000 postal employees into the Army and Navy, replacing them with less skilled new employees, with women, with elderly persons, with young boys and girls. Many of the 32,000 are now employing their skill to insure good mail service at Army and Navy post offices all around the world.

While contributing all these able workers to the armed forces, the Postal Service asked practically no deferments. Until the law providing preference for pre-Pearl Harbor fathers was enacted, the Post Office Department asked no draft deferments whatever except for a handful of highly skilled post office inspectors.

Efficiency has been promoted by every possible means, and untold hours of overtime worked to make the present good mail service possible.

Postal employees have sold to the public millions of dollars' worth of War bonds and stamps for the Treasury; and they have subscribed liberally themselves in the War Loan campaigns. They registered, photographed, and fingerprinted enemy aliens for the Department of Justice; they handled, as just one passing task, the huge job of delivering 120,000,000 copies of ration book No. 3, one for every civilian man, woman, and child in the United States; they distributed millions of circulars for the Office of Price Administration; they hauled scrap rubber and scrap metal in the salvage campaigns, and performed many other tasks outside regular postal work.

They transported and delivered the record-breaking volume of 1943 Christmas mail in a manner so expeditious and orderly, in the face of such extraordinary handicaps, that the Postmaster General said:

> It is difficult for me to find words to express my appreciation and my pride in your accomplishment.

The Postal Service has had to meet the problems of depleted forces, inexperienced personnel, gasoline and rubber restrictions, restricted air and railroad services, economy measures and other difficulties; but still it has performed its job without placing any embargoes or priorities on letter writing, advertising, or parcel post. It delivers the mail and carries on the special services—money orders, special delivery, postal savings, and so forth, all of which have been greatly increased since the war, in the same manner as in times of peace.

And in the face of all these difficulties, the Post Office Department in the fiscal year 1943, under the able direction of Postmaster General Frank C. Walker, showed a surplus of revenues over expenditures for the first time in 24 years.

The men and women of the Postal Service are doing their work well. Under the most extraordinary handicaps, they are maintaining the efficiency of the communications system, which is a vital factor in assuring the success of our arms production at home and in sustaining the spirit of our fighting men at the battle fronts. They are maintaining the reputation of their service as the "messenger of sympathy and love," the "bond of the scattered family" in days when that bond is more important than ever before—days when American families are scattered by war to the far corners of the earth.

Mr. President, in closing, I wish to quote the following inscription which appears on the facade of the Washington, D. C., Post Office, which I think is a great tribute to a great organization—the United States Postal Service:

> Messenger of sympathy and love,
> Servant of parted friends,
> Consoler of the lonely,
> Bond of the scattered family,
> Enlarger of the common life.
>
> Carrier of news and knowledge,
> Instrument of trade and industry,
> Promoter of mutual acquaintance,
> Of peace, and of good will
> Among men and nations.

DECLINE IN THE CONSUMPTION OF COTTON AND PRODUCTION OF COTTON GOODS

Mr. MAYBANK. Mr. President, on Monday of last week I submitted a resolution requesting an investigation by a committee of the Senate of the use of cotton and the production of cotton goods throughout the United States. The subject is of vital importance to the cotton farmer, the textile worker, the textile producer and all those connected directly or indirectly with the cotton industry and the textile industry. Since that time I have received many letters and telegrams and many personal calls dealing with the subject matter. I desire at this time to read an article under the date line of Charlotte, N. C., February 25, dealing with a meeting held in Charlotte on that day in connection with the War Production Board's statement that a

shortage of textile goods is inevitable. The article is as follows:

TEXTILE GOODS TO BE SCARCE

CHARLOTTE, N. C., February 25.—Cotton textile manufacturers were told today by the chief of War Production Board's cotton fabrics branch that a shortage of textiles is inevitable.

The continuing increase in essential war demand for fabrics, J. M. Withrow said, assured a shortage for civilian Americans.

He warned, too, that a "business as usual" policy at the expense of the other fellow would bring far more stringent regulations to the industry.

EIGHT HUNDRED EXECUTIVES MEET

Withrow spoke at a meeting here of 800 cotton-mill executives from 11 States, called by the W. P. B. to assist the industry solve its difficulties with existing regulations.

Regulation of the industry by the W. P. B. so far, he said, has been held to a minimum since "we believe the more goods we leave free the less difficulties will be experienced by all."

"We have come to the time when military demands are on the increase," he said. "The offensive war in the Pacific is requiring much more cotton textiles.

"The offensives to come in Europe will further greatly increase the demand."

LONGER-HOUR DRIVE

He said the mills put on a drive for increased production in 1942 through longer hours, but could not keep it up. He pointed out there was a further drain on supplies by lend-lease, economic warfare, and other export needs.

Mr. President, of course we all feel that the Army and the Navy should have, first, last, and always, whatever textiles they may need; but one of the things that is concerning me about the situation is that I am told that even the Army and Navy themselves cannot at this time obtain sufficient textiles of certain types. I am also advised on reliable authority that Lend-Lease is having greater difficulties; and all of us know from our own experience the difficulties the civilians are having.

I bring this matter again before the Senate because only yesterday I noticed that the price of cotton itself again made quite a severe decline. Last week I talked with the head of the Commodity Credit Corporation, Mr. Hutson; and again he reminded me that much of the cotton was going under loan. Again I remind the Senate that the loan on cotton is based upon 90 percent of parity and, therefore, the farmers' cotton is piling up on loan at prices which could not, I may say, be satisfactory to them for the production of another large crop.

Mr. President, it seems to me that, with the O. P. A. regulations, the War Production Board regulations, the Manpower Commission regulations, and many other regulations through other agencies, something will have to be done in the interest of the war effort, insofar as textiles are concerned, if we are to produce more goods for the war effort, produce more goods for the civilian front, and insure the cotton farmer a reasonable return on his cotton production.

I wish to make these few remarks today, Mr. President, because day by day, in my judgment, the situation grows worse in the largest industry we have in the Southeast, and in connection with the largest production of an agricultural commodity which the South itself has.

Mr. SMITH. Mr. President, will my colleague yield for a question?

Mr. MAYBANK. I yield.

Mr. SMITH. Does not my colleague believe that the production of cotton calls for more manpower than does any other crop which is grown?

Mr. MAYBANK. I thoroughly agree with my colleague. I may say, in connection with the question of production, and I feel certain my colleague agrees with me, that, at present, prices are so low, for December cotton the price being 19 cents, cotton is not as attractive to plant now as some other commodities may be, particularly considering the increased prices the farmer has to pay for everything he buys.

Mr. SMITH. It is the only crop, despite all the ingenuity of inventors which does not permit of the use of any kind of machinery in its gathering.

Mr. MAYBANK. That is correct. And it is the only major crop, I believe—and I should like to ask my distinguished colleague to verify the statement—for which for next fall prices are away below parity.

Mr. SMITH. Yes, indeed.

Mr. MAYBANK. In fact, the prices for next fall are almost 20 percent below parity, if we consider the carrying charges.

Mr. SMITH. Yes; and the increased costs decrease the production. In fact, when the increased cost of labor is included it becomes almost impossible to produce the necessary fiber for the use of civilians and the armed forces.

Mr. MAYBANK. Furthermore, Mr. President, I know my distinguished colleague will agree with me in the statement that when the fiber is not produced there is a consequent failure of production of the byproducts of cotton, such as cottonseed, and so forth, which in themselves in the war effort are even more essential than is the main product.

Mr. SMITH. Yes.

Mr. President, I wish to refer to the efforts of my colleague to remove the tax imposed on oleomargarine. In 1911 the elder Senator Lodge and I were on a committee to investigate the cost of living. The question of oleomargarine arose. I asked Dr. Wiley—and my questions are in the record—about the palatableness, the wholesomeness, and the use of oleomargarine as an edible fat. I asked him if it was not as good as butter. I asked him other questions, which are also in the record. Dr. Wiley replied that it was equal to butter. He made that reply in response to every question I asked. He answered my questions categorically. Whereupon Senator Lodge turned to me and said, "The Senator from South Carolina does not pretend that this miserable vegetable product is equal to good Elgin butter, does he?"

I said, "Well, I feed my cow on cottonseed meal and cottonseed hulls; and, through the chemistry of the animal, the milk from her udder is the product of the cottonseed. Now science has discovered a plan by which it can be run through a machine, and thus get the butter. I am voting for the machine; because the cow may have some disease, but the machine does not. It is exactly the same thing."

If my colleague will excuse me for taking so much of his time, I should like to say that I think it is one of the greatest crimes against the American consuming public to put a tax on oleomargarine, until it is proven deleterious.

Mr. STEWART. Mr. President, will the Senator yield for a question?

Mr. MAYBANK. I yield to the Senator from Tennessee.

Mr. STEWART. I wish to address my question particularly to the senior Senator from South Carolina, although I hesitate to interrogate him in the time of the junior Senator.

Mr. MAYBANK. That is quite all right.

Mr. STEWART. Is it correct to say that the surplus supply of cotton we have had in this country is at this time diminishing?

Mr. SMITH. Yes; the surplus supply of the real, available grades of cotton is diminishing.

Mr. STEWART. I refer to the cotton which has been under Commodity Credit Corporation loans, and so forth.

Mr. SMITH. I am informed that all the real cotton, from the Low Middling grade up, has been used. The cotton which is held now a decent rat would not build a nest in. I have not investigated it.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. LANGER. I assure both the Senators from South Carolina that I am very sympathetic to what they have to say about cotton, and I am sympathetic with them because the price of cotton is below the parity price. However, let me say that I believe they are approaching this matter from the wrong angle. I know the Senators from South Carolina are very sympathetic to all forms of agriculture. The senior Senator from South Carolina has said so upon this floor many times. In the Northwest wheat is selling at a price far below parity, and the price of beef is below parity. I, for one, desire to serve notice that I believe a great many Senators from the Northwest will object to passing legislation relating to cotton alone in an endeavor to increase its price toward parity unless beef, wheat, and possibly some other farm products are also considered.

Mr. MAYBANK. I may say for the benefit of the distinguished Senator from North Dakota that my remarks were not directed toward any particular resolution. The resolution which I submitted related not only to agriculture, but also to production, particularly with respect to textiles. One of the great troubles with the textile industry is the constant drain on its manpower. Manpower is continually leaving the textile industry to go to Government factories where it is paid much higher wages. Wages in the textile industry are low. I believe they should be adjusted in some way in keeping with the ceilings on textiles, so that the whole program of the manu-

78TH CONGRESS
2D SESSION

H. R. 4166

IN THE SENATE OF THE UNITED STATES

MARCH 3 (legislative day, FEBRUARY 7), 1944
Considered, read the third time, and passed

AN ACT

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 75 (a), 75 (b), and 75 (c) of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, is amended to read as follows:

"SEC. 75. (a) Every United States district court of bankruptcy shall appoint not more than twenty persons in any one district to be known as 'conciliation commis-

sioners'. One such commissioner shall be appointed from each division or for the territory served by the city where terms of court are held. The court shall designate the territorial district of each such commissioner. A conciliation commissioner's term of office shall be two years, but he may be removed by the court if his services are no longer needed or for other cause. No individual shall be eligible to appointment as a conciliation commissioner unless he is eligible for appointment as referee and in addition is a resident of the district, familiar with agricultural conditions therein and not engaged in the farm-mortgage business, the business of financing farmers or transactions in agricultural commodities or the business of marketing or dealing in agricultural commodities or of furnishing agricultural supplies. In each judicial district the court may, if it finds it necessary or desirable, appoint a suitable person as a supervising conciliation commissioner. The supervising conciliation commissioner shall have such supervisory functions under this section as the court may by order specify.

"75. (b) Upon filing of any petition by a farmer under this section there shall be paid a fee of $25 to be transmitted to the clerk of the court and covered into the Treasury. The conciliation commissioner shall receive as compensation for his services a fee of $25 for each case submitted to him, to be paid out of the Treasury when the conciliation commissioner

completes the duties assigned to him by the court. A supervising conciliation commissioner shall receive, as compensation for his services, a per diem allowance to be fixed by the court, in an amount not in excess of $10 per day, together with subsistence and travel expenses in accordance with the law applicable to officers of the Department of Justice. Such compensation and expenses shall be paid out of the Treasury. If the creditors at any time desire supervision over the farming operations of a farmer, the cost of such supervision shall be borne by such creditors or by the farmer, as may be agreed upon by them, but in no instance shall the farmer be required to pay more than one-half of the cost of such supervision. Nothing contained in this section shall prevent a conciliation commissioner who supervises such farming operations from receiving such compensation therefor as may be so agreed upon. No fees, costs, or other charges shall be charged or taxed to any farmer or his creditors by any conciliation commissioner or with respect to any proceeding under this section, except as hereinbefore in this section provided. The conciliation commissioner may accept and avail himself of office space, equipment, and assistance furnished him by other Federal officials, or by any State, county, or other public officials. The Supreme Court is authorized to make such general orders as it may find necessary properly to govern the administration of the office of conciliation com-

missioner and proceedings under this section; but any district court of the United States may, for good cause shown and in the interests of justice, permit any such general order to be waived.

"75 (c) At any time prior to March 4, 1946, a petition may be filed by any farmer, stating that the farmer is insolvent or unable to meet his debts as they mature, and that it is desirable to effect a composition or an extension of time to pay his debts. The petition or answer of the farmer shall be accompanied by his schedules. The petition and answer shall be filed with the court, but shall, on request of the farmer or creditor, be received by the conciliation commissioner for the county in which the farmer resides and promptly transmitted by him to the clerk of the court for filing. If any such petition is filed, an order of adjudication shall not be entered except as provided hereinafter in this section."

Passed the House of Representatives February 29, 1944.

Attest: SOUTH TRIMBLE,

Clerk.

78TH CONGRESS
2D SESSION

H. R. 4166

AN ACT

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MARCH 3 (legislative day, FEBRUARY 7), 1944
Considered, read the third time, and passed

[Public Law 251—78th Congress]

[Chapter 87—2d Session]

[H. R. 4166]

AN ACT

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 75 (a), 75 (b), and 75 (c) of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, is amended to read as follows:

"Sec. 75. (a) Every United States district court of bankruptcy shall appoint not more than twenty persons in any one district to be known as 'conciliation commissioners'. One such commissioner shall be appointed from each division or for the territory served by the city where terms of court are held. The court shall designate the territorial district of each such commissioner. A conciliation commissioner's term of office shall be two years, but he may be removed by the court if his services are no longer needed or for other cause. No individual shall be eligible to appointment as a conciliation commissioner unless he is eligible for appointment as referee and in addition is a resident of the district, familiar with agricultural conditions therein and not engaged in the farm-mortgage business, the business of financing farmers or transactions in agricultural commodities or the business of marketing or dealing in agricultural commodities or of furnishing agricultural supplies. In each judicial district the court may, if it finds it necessary or desirable, appoint a suitable person as a supervising conciliation commissioner. The supervising conciliation commissioner shall have such supervisory functions under this section as the court may by order specify.

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missioner who supervises such farming operations from receiving such compensation therefor as may be so agreed upon. No fees, costs, or other charges shall be charged or taxed to any farmer or his creditors by any conciliation commissioner or with respect to any proceeding under this section, except as hereinbefore in this section provided. The conciliation commissioner may accept and avail himself of office space, equipment, and assistance furnished him by other Federal officials, or by any State, county, or other public officials. The Supreme Court is authorized to make such general orders as it may find necessary properly to govern the administration of the office of conciliation commissioner and proceedings under this section; but any district court of the United States may, for good cause shown and in the interests of justice, permit any such general order to be waived.

"75. (c) At any time prior to March 4, 1946, a petition may be filed by any farmer, stating that the farmer is insolvent or unable to meet his debts as they mature, and that it is desirable to effect a composition or an extension of time to pay his debts. The petition or answer of the farmer shall be accompanied by his schedules. The petition and answer shall be filed with the court, but shall, on request of the farmer or creditor, be received by the conciliation commissioner for the county in which the farmer resides and promptly transmitted by him to the clerk of the court for filing. If any such petition is filed, an order of adjudication shall not be entered except as provided hereinafter in this section."

Approved March 11, 1944.